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CONT

FRONT

BILL NO. S-77-06-18

SPECIAL ORDINANCE NO. S-111-77

AN ORDINANCE approving a certain

bid document for purchase of five one-ton

trucks for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 784 dated April 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Allen County Motors, Inc. for:

5 1977 One-ton trucks, Ford Model F350 $23,385.00

for a total cost of $23,385.00, all as more particularly set forth in said bid document Ref. No. 784 and Purchase Order No. 400704, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as No. S-111-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-05

SPECIAL ORDINANCE NO. S-112-77

AN ORDINANCE approving the allocation
of funds and approving the acquisition and
renovation of two properties to be used as
the East Central Neighborhood Center

WHEREAS, Neighborhood Care, Inc. is desirous of purchasing and renovating two properties located at 1205 and 1207 East Lewis Street; and

WHEREAS, both properties combined would be used by the East Central Neighborhood Association for meetings, fund raising projects, social and recreational activities in accordance with the Block Grant Year 11 funds from which the purchase would be acquired.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That approval is hereby given for the acquisition and renovation of two properties located at 1205 and 1207 East Lewis Street by Neighborhood Care, Inc.

SECTION 2. That the expenditure of $30,000.00 from the Block Grant Year 11 funds for said purchase and renovation is hereby approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-112-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-06

SPECIAL ORDINANCE NO. S-113-77

AN ORDINANCE approving an installment purchase agreement with Xerox Corporation

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Xerox State and Local Government Equipment Equity Plan (Installment Purchase Agreement) between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Xerox Corporation for one Xerox 9200 duplication system for the total time sale price of $87,224.76, all as more particularly set forth in said agreement, and which is on file in the Office of the Department of the Controller, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-113-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-07

SPECIAL ORDINANCE NO. S-114-77

AN ORDINANCE approving an Agreement
to Purchase by Mr. and Mrs. Leo J. Klier

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WYANE, INDIANA:

SECTION 1. That the Agreement to purchase dated August 13, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Leo and Nancy Klier for:

> Real estate in Allen County, Indiana beginning at the NW corner of Lot No. 40 in Gardendale Addition to the City of Fort Wayne; thence W 54.8 feet to the East right-of-way line of Old Decatur Road; thence South along said rightofway line 149.5 feet to the North right-of-way line of the Tillman Road; thence East along said right-of-way line to the West line of said Lot 40; thence Northwesterly along said West lot line to the place of beginning,

for a gain to the City of $14,000.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-114-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S -77-06-08

SPECIAL ORDINANCE NO. S-115-77

AN ORDINANCE approving a lease
contract with Norfolk and Western
Railway Company for automobile parking

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the lease contract dated May 1, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Norfolk and Western Railway Company for the purposes of surface automobile parking and for a total cost of $14,600.00, all as more particularly set forth in said lease contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: Two
Hunter, V. Schmidt

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-115-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

FRONT

BILL NO. G-77-06-09

GENERAL ORDINANCE NO. G-22-77

AN ORDINANCE authorizing expenditure
from the Park Cumulative Building Fund

WHEREAS, Four tennis court in Foster Park are in need of color coating; and

WHEREAS, the Bureau of Outdoor Recreation has approved the project and reserved the necessary fund monies to reimburse the Park Department one-half of the cost; and

WHEREAS, it is now necessary to obtain approval of the expenditure from the Park Cumulative Building Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the expenditure of $5,000.00 from Account No. 55-001-001, Park Cumulative Building Fund, to be used to color coat four tennis court in Foster Park is hereby approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval, by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

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BILL NO. G-77-04-08

GENERAL ORDINANCE NO. G-23-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley and street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley and street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street and alley, to-wit:

> The real estate in White's Fourth Addition to the City of Fort Wayne, also known as J.B. White's 4th Addition to the City of Fort Wayne, described as: Sand Street; also Street North of Lots 242 and 172 commonly known and described as Jay Street; also alley running between Lots 240 and 169 on the North side and Lots 239 and 168 on the South side; also alley running between Lots 240, 241, and 242 on the West side and Lots 169, 170, 171 and 172 on the East side, all in the Southwest Quarter, Section 6, Township 30 North, Range 13 East.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommend-ation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-23-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-06-15

GENERAL ORDINANCE NO. G-24-77

AN ORDINANCE amending The Code
of the City of Fort Wayne, Indiana
of 1974, by adding a new subsection
thereto

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 17, Article VII, Division 2, Section 17-93 be amending by adding thereto a new subsection as follows:

"(f) Ten-minute parking. When signs are erected in each block pursuant to this Division giving notice thereof, no person shall park a vehicle for longer than 10 minutes at any time within the district or upon any of the streets described in schedule 19, maintained on file in the office of the City Clerk."

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, D. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-24-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

8

BILL NO. Z-77-04-26

ZONING MAP ORDINANCE NO. Z-13-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described follows is hereby designated a B 4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symblos of the City of Fort Wayne Zoning Map No. F5, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

The west 401 feet of Lots #13 and #16, in W.A. Ewing's Sub. in the N. W. quarter of Section 5, Township 30 North, Range 13 East, City of Fort Wayne, Allen County, Indiana.

Lot #13 commonly known as 1001 Coliseum Blvd. North Lot # 16 commonly known as 909, 919, 929 Coliseum Blvd. North

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt
Nays: Four
Burns, Hinga, Stier, Talarico

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-13-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-17

SPECIAL ORDINANCE NO. S-116-77

AN ORDINANCE approving a proposal
to construct improvements to
railroad-street grade crossings from
Turnbell-Green and Associates, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the proposal dated February 14, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and TurnbellGreen and Associates, Inc. to construct improvements to railroadstreet grade crossings as follows:

Van Buren Street	-Norfolk & Western (Former NKP)
Runnion Avenue	-Norfolk & Western (Former NKP)
Leesburg Road	-Norfolk & Western (Former NKP)
Lindenwood Road	-Norfolk & Western (Former NKP)
Winter Street	-Norfolk & Western (Former Wabash)
Fletcher Avenue	-Norfolk & Western (Former Wabash)
Wabash Avenue	-Norfolk & Western (Former Wabash)
Lumbard Street	-Norfolk & Western (Former Wabash)
Edsall Avenue	-Norfolk & Western (Former NKP)
Glasgow Avenue	-Norfolk & Western (Former NKP)
McKinley Avenue	-Norfolk & Western (Former NKP)
Nuttman Avenue	-Norfolk & Western (Former Wabash)
Brooklyn Avenue	-Norfolk & Western (Former Wabash)
Engle Road	-Norfolk & Western (Former Wabash)
Anthony Boulevard	-Norfolk & Western (Former NKP)
Anthony Boulevard	-Norfolk & Western (Former Wabash)
Anthony Boulevard	-Norfolk & Western (Former NKP)
Ardmore Avenue	-Norfolk & Western (Former Wabash)
McArthur Drive	-Norfolk & Western (Former NKP)
Bear Field Thruway	-Norfolk & Western (Former NKP)
Wayne Street	-Norfolk & Western (Former NKP)
Washington Boulevard	-Norfolk & Western (Former NKP)

all as more particularly set forth in said proposal which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-116-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong, Mayor

E 10

BILL NO. S-77-06-03

SPECIAL ORDINANCE NO. S-117-77

AN ORDINANCE approving a certain
bid document for five snow plows
for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 784 dated April 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Delphi Body Works, Inc. for

5 1977 Meyers Front End Snow Plows for one-ton trucks, installed	$4,975.00

for a total cost of $4,975.00, all as more particularly set forth in said bid document Ref. No. 784 and Purchase Order No. 400706, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-117-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-19

SPECIAL ORDINANCE NO. S-118-77

AN ORDINANCE approving a certain bid document for purchase of five dump bodies for one-ton trucks for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 784 dated April 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and The Truck Engineering Company for:

5 Dump Bodies for one-ton Ford Trucks, installed	$7,042.75

for a total cost of $7,042.75, all as more particularly set forth in said bid document Ref. No. 784 and Purhcase Order No. 400705, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-118-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

12

BILL NO. S-77-06-20

SPECIAL ORDINANCE NO. S-119-77

AN ORDINANCE approving a blanket
purchase of office supplies for
the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 1, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Shrex of Fort Wayne, for:

Blanket order from 7/1/77 to 7/1/78
for office supplies per Bid #426

in the estimated amount of $791.38, all as more particularly set forth on City Utilities Purchase Order No. B8992, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-119-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-21

SPECIAL ORDINANCE NO. S-120-77

AN ORDINANCE approving a blanket
contract for copper pipe for the
Water Maintenance & Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated May 31, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and National Mill Supply for:

Blanket Purchase Order for Copper Pipe
from July 1, 1977 thru December 31, 1977

Estimated Quantity:

10 3/4" "K" Soft 60' Coils Fed. Spec. WW-T-799 (3000')	$2,700.00	
10 3/4" "K" Soft 100' Coils Fed. Spec. WW-T-799 (1000')	900.00	
500' "K" Soft (20' lengths) 1-1/2" Fed. Spec. WW-T-799		699.00
500' "K" Soft (20' lenghts) 2" Fed. Spec. WW-T-799		1,475.00
		$6,705.00

all as more particularly set forth on City Utilities Purchase Order No. B8973, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-120-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

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BILL NO. S-77-06-22

SPECIAL ORDINANCE NO. S-121-77

AN ORDINANCE approving a certain bid
document for office supplies for the
Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 426 dated April 15, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Business Equipment Company for:

Blanket order from 7/1/77 to 7/1/78
for office supplies per Bid 426

for an estimated cost of $1,808.42, all as more particularly set forth in said bid document Ref. No. 426 and Purchase Order No. B8990, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-121-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-23

SPECIAL ORDINANCE NO. S-122-77

AN ORDINANCE approving a contract
with CLOW CORPORATION for materials
for the Water Maintenance & Service
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated May 31, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Clow Corporation for:

12 6" Duo Solid Sleeves, w/gaskets bolts and glands Clow F1208 or equiv.	$ 840.00
6 6" M.J. Gate Valves w/gaskets, glands and bolts - open right Clow F5065	762.00
12 6" Cut-in valves, w/gaskets, glands and Bolts - open right Clow F5067	1,560.00
	$3,162.00

all as more particularly set forth on City Utilities Purchase Order No. 8993, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-122-77 on the 28th day of June, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-24

SPECIAL ORDINANCE NO. S-123-77

AN ORDINANCE approving a contract
for blanket purchase of office supplies
for the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 1, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Doubleday Brothers for:

Blanket Order from 7/1/77 to 7/1/78
for office supplies per Bid #426,

in the estimated amount of $7,734.44, all as more particularly in the estimated amount of $7,734.77, all as more particularly set forth on City Utilities Purchase Order No. B8991, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-28-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-123-77 on the 28th day of June, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1977, at the hour of 11:00 o'clock, A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of June, 1977, at the hour of 10:30 o'clock, A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-04

SPECIAL ORDINANCE NO. S--124-77

AN ORDINANCE approving a certain
bid document for purchase of an ambulance
for Emergency Medical Services

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 786 dated May 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, and AMPAR, Incorporated for:

1 1975 Dodge B300, Delux Trim, AMPAR Conversion Van-type Ambulance $12,500.00

for a total cost of $12,500.00, all as more particularly set forth in said bid document Ref. No. 786 and Purchase Order No. 4-00757, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby incorporated herein by reference hereto and made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-124-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-28

SPECIAL ORDINANCE NO. S-125-77

AN ORDINANCE approving Change Order Nos.
E-4 & E-5 in connection with the Senior
Citizen Center

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. E4 to Hambrock Electric, Inc. in connection with the Senior Citizen Center (Food Service Equipment Final Connections) in the amount of $745.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That Change Order No. E5 to Hamborck Electric, Inc. in connection with the Senior Citizen Center (Addition on (6) telephone outlets in social service offices) in the amount of $985.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Moses, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-125-77 on the 13th day of July, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-29

SPECIAL ORDINANCE NO. S-126-77

AN ORDINANCE approving a contract with
Lewis & Christen Office Supply Company for
furnishings and their installation in The
Senior Citizen Center

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 15, 1977, between the city of Fort Wayne, by and through its Mayor and the Board of Public Works and Lewis & Christen Office Supply Company, for:

> The Furnishing and Installation of the open furnishing lines, and exclusive furnishing lines (desks, credenzas, cabinets, etc.) for the New Senior Citizen Center, located at 300 block, West Main Street, Fort Wayne, Indiana,

for a total cost of $39,089.15, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-126-77on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-30 (As Amended)

SPECIAL ORDINANCE NO. S-127-77

AN ORDINANCE approving a contract with Office Interiors, Inc. for furnishings and their installation in the New Senior Citizen Center

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 15, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Office Interiors, Inc., for:

> The furnishing and Installation of the Exclusive Furnishing Lines (Chairs), and Director's Chair, for the New Senior Citizens Center, located at 300 block, West Main Street, Fort Wayne, Indiana,

for a total cost of $2,108.53, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-127-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-31

SPECIAL ORDINANCE NO. S-128-77

AN ORDINANCE approving an expenditure in excess of $2,000 for the Department of Community Development and Planning

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Community Development and Planning Department's Summer Clean-up Program is in need of trash disposal services in the neighborhoods described as West Central, Northwest Central, Nebraska, East Central, Hanna-Creighton and Oxford, which will use 41 containers of varying sizes for the ten-week period from June 20, 1977 through August 20, 1977 for a total cost payable to National Serv-All not to exceed $21,000.00, all as more particularly set forth in the Memorandum of Agreement dated June 13, 1977 and on file in the Office of the Department of Community Development and Planning and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-128-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-32

SPECIAL ORDINANCE NO. S-129-77

AN ORDINANCE approving a contract between Zollner Corporation and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated June 1, 1977, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and Zollner Corporation for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows,

to-wit:

All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as $440,470 issued by the Treasurer of Allen County, Indiana.

SECTION 2. The cost to Zollner Corporation shall be the sum of $4,972.46, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. This ORdinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-129-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-33

SPECIAL ORDINANCE NO. S-130-77

AN ORDINANCE approving a contract with
Schmidt Electric, Incorporated, for
installation of Street Lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 8, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Schmidt Electric, Incorporated, for:

Installation of street lighting with underground
wiring on Nebraska Phase II

for a total cost of $14,443.97, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-130-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-34

SPECIAL ORDINANCE NO. S- 131-77

AN ORDINANCE approving a contract with
T & F Construction Corporation of Indiana
for installation of new street lighting
for the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T & F Construction Corporation of Indiana, for:

> Installing new street lighting for the City of Fort Wayne and providing maintenance for Fort Wayne Street Lighting system as per unit bid but not exceeding appropriation,

as as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incoporation herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-13-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-07-07

RESOLUTION NO. R-34-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Community
Development and Planning Department

WHEREAS, there are insufficient funds in the Printing other than office Account within the Community Development and Planning Department to continue operations throughout the remainder of 1977; and

WHEREAS, there are sufficient funds in the Machine rental account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $1,500.00 is hereby transferred from Account No. 10-680-521, Machine Rental, to Account No. 10-680-241, Printing other than office, in the 1977 Budget of the Community Development and Planning Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V.Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-34-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-07-08

RESOLUTION NO. R-35-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Street Department

WHEREAS, there are insufficient funds in the Gasoline Account within the Street Department to continue operations throughout the remainder of 1977; and

WHEREAS, there are sufficient funds in the Bituminous Materials account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $25,000.00 is hereby transferred from Account No. 28-880-424, Bituminous Materials, to Account No. 28-830-321, Gasoline, in the 1977 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-35-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-07-09

COMMON COUNCIL
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. R-36-77

WHEREAS, the City of Fort Wayne (the "city") is a municipality and political subdivision of the State of Indiana and is authorized by Indiana Code, tit. 18, art. 6, ch. 4.5, as amended (the"Act"), to sell, purchase, lease, construct, remodel, rebuild, enlarge or substantially improve economic development facilities, as defined in the Act, and to issue bonds to finance the costs thereof; and

WHEREAS, Scott Paper Company (the"Company") has heretofore advised the City and the Fort Wayne Economic Development Commission (the "Commission") that it has under consideration a program for the acquisition and construction of certain economic development facilities (the "Facilities") at its plant in the City, as more fully described in Exhibit A to this resolution; and

WHEREAS, the Commission, after holding a public hearing as provided by the Act, has found and determined that the acquisition, construction and installation of the Facilities by the City and the issuance of its revenue bonds for the purposes of financing the costs thereof will benefit the health and welfare of the City and complies with the purposes and provisions of the Act; and

WHEREAS, the Company has further advised the City that a determination by the City to issue its revenue bonds under the Act to finance the acquisition and construction of the Facilities under a contractual arrangement whereby the City would lease or sell the Facilities to the Company under a lease or installment sale agreement providing for payments sufficient to pay the principal of said bonds and the interest thereon will constitute a substantial inducement ot the Company to proceed with the acquisition and construction of the Facilities; and

WHEREAS, there has been presented to the Common Council of the City a form of Preliminary Agreement between the Company and the City with respect to the acquisition and construction of the Facilities.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana that:

1. The City finds and determines that the acquisition and construction of the Facilities will enhance employment opportunities in the City and the City's tax base and otherwise promote the general health and welfare of the City and the public purposes of the Act.

2. The City further finds and determines that the issuance of its revenue bonds under the Act to finance the acquisition and construction of the Facilities, and the sale or lease thereof to the Company will serve the public purposes referred to above.

3. In order to induce the Company to proceed with the acquisition and construction of the Facilities, the City hereby determines that: (i) the City will authorize and issue one or more series of revenue bonds pursuant to the Act in an aggregate principal amount not to exceed $1,000,000 to finance the cost of acquisition and construction of the Facilities by or on behalf of the City, including repayments to the Company of any advances made by the Company to the City in connection with such acquisition and construction, and enter into contractual arrangements to lease or sell the Facilities to the Company whereby the rental or installment sale payments to be paid by the Comapny shall be sufficient to pay the principal of said bonds and the interest thereon, as and when the same shall become due and payable; (ii) the City will adopt such orders and resolutions and authorize the execution and delivery of such instruments and the taking of such actions as may be necessary or advisable for the authorization, issuance and sale of said bonds, and the acquisition and construction and lease or sale as aforesaid of the Facilities; and (iii) it will take or cause to be taken such other actions as may be required to implement the aforesaid, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and are mutually acceptable to the City and the Company.

4. The proposed PReliminary Agreement between the Company and the City presented to this meeting, a copy of which shall be filed with the minutes of this meeting, is hereby approved, and the Mayor is hereby authorized and directed to execute and deliver the same in substatitally the form submitted to this meeting with such changes, deletions and additions as may be approved by him, his execution being conclusive evidence of such approval; and the Clerk is hereby authorized and directed to affix the corporate seal of the City to the Preliminary Agreement and to attest the same.

5. This Resolution shall take effect immediately.

RESOLVED this 12th day of July, 1977.

William T. Hinga
Councilman

EXHIBIT A

The project at the Fort Wayne, Indiana plant of Scott Paper Company consists of expanded facilities for the manufacture of carpet underly cushion. The facilities inculde a building, a maxfoam machine, a loop splitter, a cut-off saw, a loaf grabber, a chemical system and tanks, conveyors and a scrap bailer.

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-36-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-07-10

RESOLUTION NO. R-37-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Communications Department

WHEREAS, there are insufficient funds in the Repair Parts and Gasoline Accounts within the Communications Department to continue operations throughout the remainder of 1977; and

WHEREAS, there are sufficient funds in the Salaries account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $7,500.00 is hereby transferred from Account No. 10-760-111, Salaries, to Account No. 10760430, Repair Parts, in the 1977 Budget of the Communications Department.

That the sum of $1,000.00 is hereby transferred from Account No. 10-760-111, Salaries, to Account No. 10-760-321, Gasoline, in the 1977 Budget of the Communications Department.

Willian T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-37-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-07-11

RESOLUTION NO. R-38-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Street Department

WHEREAS, due to increases in insurance premuims, the Street Department will not have sufficient funds for the remainder of 1977 within their Insurance account, and

WHEREAS, there are sufficient funds in the Motor Equipment, Other Materials and Bituminous Materials Accounts for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $13,400.00 is hereby transferred from Account No. 28880722, Motor Equipment, to Account No. 28-880-510, Insurance, in the 1977 Budget of the Street Department.

That the sum of $18,100.00 is hereby transferred from Account No. 28-880-440, Other Materials, to Account No. 28-880-510, Insurance, in the 1977 Budget of the Street Department.

That the sum of $17,000.00 is hereby transferred from Account No. 28-880-424, Bituminous Materials, to Account No. 28-880-510, Insurance, in the 1977 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter
Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-38-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-07-12

RESOLUTION NO. R-39-77

A RESOLUTION authorizing payment to the following vendor's for repair of Board of Public Safety Vehicles

WHEREAS, the Board of Public Safety's Communications vehicle, unit No. 2, 1964 Chevrolet, Van, License No. 6462, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Automotive Color & Supply Corp. has submitted as estimate in the amount of $300.00 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's vehicle License No. 11140, Plice, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $67.00 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's police vehicle, a 1976 Plymouth, License No. 1116, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, NOrthway Chrysler Plymouth has submitted an estimate in the amount of $496.00 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's police vehicle, a 1975 Ford, 4 door, License No. 11136, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $235.00 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's police vehicle, a 1977 Plymouth, 4 door, Unit No. 5, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $110.20 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $300.00 to Automotive Color & Supply Corp. for the repair of the 1964 Chevrolet, Van, License No. 6462.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $67.00 to Allen County Motors for the repair of the police vehicle, License No. 11140.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $496.00 to Northway Chrysler Plymouth for the repair of the 1976 Plymouth, License No. 1116.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $235.00 to Northway Chrysler Plymouth for the repair of the 1975 Ford, 4 door, License No. 11136.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $110.20 to Northway Chrysler Plymouth for the repair of the 1977 Plymouth, 4 door, Unit No. 5.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-39-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-09

ZONING MAP ORDINANCE NO. Z-14-77

AN ORDINANCE amending the City
of Fort Wayne Zoning Map Nos.
AA-4 and A-4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map Nos. AA4 and A4, referred therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lots 1 thru 6 F.C. Rees and Barnetts O.L. 3 Add. Lots #10 thru #13 Dickey's Addition;
Lots #1 thru #6 H. G. Keegan's 1st Sub. Addition;
Lots #3 & 4 Meyerhof Addition; Lot #4
Supplements #22 thru #34 Barnetts Out
Lots Addition; Lot #5 Supplements #14
thru #16 and #35 thru #46 Barnetts Outlots Add.;
Lots #5 thru #10 J.F. Feichter Addition;
Lots #4 thru #6 Worthingtons Sub. Add.;
Lots #1 thru #7 Smith's Addition;
Lots #1 thru #4 Freistroffer 2nd Addition;
Lots #1 thru #5 Fuhrman's Addition;
Lots #8 thru #15 Smith's Ext. Additon;
Lots #1 thru #5 Burrow's Sub. Addition;
Lots #4 thru #11, Lots #13, 14 & 16 and
Lots #18 thru #29 Rose Lane Addition; and
Lot #10 L.M. Nindes Addition

SECTION 2. This ORdinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 3-14-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of I:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-12

ZONING MAP ORDINANCE NO. Z-15-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. G-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. G-7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots numbered 50 and 51 in Delta Heights
Addition to the City of Fort Wayne, County
of Allen, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V.Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-15-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-33

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. B-8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-8, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot No. 138 in McKinnie Park Place Addition to the City of
Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eights
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

BILL NO. G-77-02-07

GENERAL ORDINANCE NO. G-25-77

AN ORDINANCE amending General
Ordinance No. G-97 by authorizing
the vacation of a certain alley.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53744), the Thoroughfare Plan as set forth in General Ordinance No. G-97adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to-wit:

The north-south alley, extending south from the south right-of way of Wallace Street, to the northern right-of-way of the east-west alley, located between Lots # 210, 211, 212 and Lot # 209 of Lewis Addition, AND the east-west alley, extending east from the east right-of-way of Lafayette Street to the west right-of-way of the north-south alley, located between Lots # 212 and #213 Lewis Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage,

approval by the Mayor and legal publication thereof.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-25-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-04-07

GENERAL ORDINANCE NO. G-26-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to-wit:

1. That they are the owners of Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana which the above described real estate on the east.

2. That Decatur Road was moved from its former location and now adjoins the above real estate on the west leaving the area between the new location of Decatur Road and Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana as part of a street right-of-way which is no longer occupied and used for street purposed.

3. The City of Fort Wayne, Indiana has agreed through its Board of Public Works to sell the above described real estate and desire to obtain the vacation of said street so as to be able to convey a merchantable title to the undersigned.

4. That no other person, firm or corporation is interested in or affected by the request of the vacation.

5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof to vacate the same.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-43

SPECIAL ORDINANCE NO. S-132-77

AN ORDINANCE approving a contract with
Kenneth Niemeyer, Real Estate & Development,
Inc. for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated May 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Kenneth Niemeyer, Real Estate & Development, Inc. for:

MAIN NO. 1:

Beginning at an existing sanitary sewer manhole located within Trier Ridge Park, Section I amended. Said manhole more particularly described as located near the southeast corner of the intersection of Montagne Drive and Gathings Drive; thence southerly 330 ± LF along the east right-of-way to Gathing Drive to a proposed manhole located 25 ± LF east of and 25 ± LF south of the intersection of Gathing Drive and Geddes Court; thence 220 ± LF due west; thence 1001 LF southwesterly all along the south rightof-way line of said Geddes Court to a proposed manhole located 25 ± LF southeast of and 25 ±LF southwest of the centerline intersection of Dorsett Drive and Jasper Lane; thence northwesterly 185 ± LF to a proposed manhole; thence due west 300 ± LF all along the south right-of-way line of Jasper Lane to a proposed manhole located 25 ± LF south of and 25 ± LF east of the centerline intersection of Jasper Lane and Newlin Drive; thence due north 120 ± LF terminating at the proposed cleanout located 80 ± LF north of and 25 ± LF east of said intersection of Jasper Lane and Newlin Drive.

LATERAL #1:

Beginning at a proposed manhole located 25 ± LF south of and 25 ± LF east of said intersection of Jasper Lane and Newlin Drive; thence due south 125 ± LF terminating at a proposed cleanout located 150 ± LF south of and 25 ± LF east of said intersection of Jasper Lane and Newlin Drive.

LATERAL #2:

Beginning at a proposed sanitary sewer manhole located 25 ±LF southeasterly of and 25 ± LF southwesterly of the centerline interesection of Dorsett Drive and Jasper Lane; thence southwesterly 200 ± LF terminating at a proposed manhole located 10 ± LF south of the north property line of Lot # 190 of Trier Ridge Park, Phase II, Section II.

LATERAL #3:

Beginning at a proposed sanitary sewer manhole located 25 ± LF east of and 25 ± LF south of the centerline intersection of Gathings Drive and Geddes Court; thence due south 210 ± LF terminating at a proposed manhole located 10 ± LF south of the north property line of lot #194 of Trier Ridge Park, Phase II, Section II.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-132-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-44

SPECIAL ORDINANCE NO. S--133-77

AN ORDINANCE approving Change Order No. 1
connection with Resolution No. 5728-1976

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Brooks Construction Co. Inc. in connection with Resolution No. 57281976 (4th & 5th District Resurfacing Webster Ringsway & Fairfield) in the amount of $8,132.50, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-133-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-45

SPECIAL ORDINANCE NO. S-134-77

AN ORDINANCE approving a contract with
Brooks Construction Company, for installation
of pavement - Resolution No. 5757-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Brooks Construction, Inc., for:

Resolution No. 57571977: To improve by resurfacing and restoring pavement on five streets in the 2nd and 3rd Councilmanic Districts, as described on the attached Resolution.

for a total cost of $128,988.10, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-134-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-46

SPECIAL ORDINANCE NO. S-135-77

AN ORDINANCE approving a contract with
Dailey Asphalt Products Co., Inc. for
Resolution No. 5756-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Dailey Asphalt Products Co., Inc., for:

Resolution No. 57561977: To improve by resurfacing and restoring pavement on four streets in the 1st Councilmanic District, as described on the attached resolution.

for a total cost of $132,010.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-135-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-47

SPECIAL ORDINANCE NO. S-136-77

AN ORDINANCE approving a contract with
Wayne Assphalt and Construction Co., Inc.
for Resolution No. 5754-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Wayne Asphalt and Construction Co., Inc. for:

Resolution No. 5754-1977: North Washington Road-
from the west property line of Ardmore Avenue to
the north property line of Taylor Street

for a total cost of $124,556.25, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-136-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-48

SPECIAL ORDINANCE NO. S-137-77

AN ORDINANCE approving a contract with
Hipskind Asphalt Corporation for
Resolution No. 5755-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated Juen 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hipskind Asphalt Corporation, for:

Resolution No. 575577: To improve by resurfacing and restoring pavement as designated on the following streets to be known as: 1. Buell Drive from the north property line of Paulding Road to 300 feet north of Belmont Street. 2. Pettit Avenue from the east property line of Lafayette Street to the east property line of Avondale Drive. 3. Rudisill Boulevard from the east property line of Lafayette Street to the east property line of Abbott Street.

for a total cost of $162,623.10, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-137-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-49

SPECIAL ORDINANCE NO. S-138-77

AN ORDINANCE approving Change Order No. 2 in connection with Resolution No. 5746- 76

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to John Dehner, Inc. in connection with Resolution No. 574676 Barr Street, in the amount of $4,241.09, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-138-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-50

SPECIAL ORDINANCE NO. S-139-77

AN ORDINANCE approving a contract with
Village Two, Inc. for Water Contract 7703 -
Water Mains for Lofton Woods Add., Sec. III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 15, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Village Two, Inc., for:

That UTILITY and the CONTRIBUTOR shall proceed dependend upon procurement of materials and labor and with reference to other similar work of said parties to construct 6360 ± feet of twelve (12") inch and six (6") inch water mains, including all necessary fittings as follows:

Lofton Way from Lake Avenue to Countess Drive; Countess Drive from the West property line of the Indiana and Michigan easement to the East property line of Lot #89; Duprey Drive from Countess DRive to the North property line of Lot #58; Winslow Place from its Western terminus to its Eastern terminus; Highgate Place from its Western terminus to its Eastern terminus; Randford Drive from Lofton Way to its Northern terminus, all in LOFTON WOOD ADDITION, SECTION III.

for a total cost of $25,757.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-139-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-51

SPECIAL ORDINANCE NO. S-140-77

AN ORDINANCE approving Change Order No. 2
in Connection with Resolution No. 5724-1976

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Martin Enterprises Inc. in connection with Resolution No. 57241976 (Building Reerection at City Utilities Lafayette Complex) in the amount of $12,947.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-140-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-52

SPECIAL ORDINANCE NO. S-141-77

AN ORDINANCE approving blanket purchase
order for materials for the Water Maintenance
and Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated May 31, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cooper Distributing, City Utilities Purchase Order No. B8972, for a blanket order for 75 Fire Hydrants for the period from July 1, 1977 thru December

31,

1977, all for a estimated maximum cost of $22,427.25 to be charged against Water Utility as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-141-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-53

SPECIAL ORDINANCE NO. S-142-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 3, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Treaty Company, City Utilities Purchase Order B-9001, for a blanket order for Brass Fittings, all for a estimated maximum cost of $2,580.00 to be charged against Water Utility as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-142-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-54

SPECIAL ORDINANCE NO. S-143-77

AN ORDINANCE approving a contract with
International Harvester Company for
materials for the City Utilities Garage

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 13, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and International Harvester Company, for:

Repairs to Unit #151 1976 IHC TANDUM DUMP belonging to Water Pollution Control Plant

Engine and Misc. parts needed to transfer Labor to R & R, steam clean and transfer all necessary parts to Engine Oil $2,332.73

all as more particularly set forth on City Utilities Purchase Order No. 9024, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-143-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-55

SPECIAL ORDINANCE NO. S-144-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 3, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Central Supply Company, Inc., City Utilities Purchase Order B9002, for a blanket order for Brass Fittings, all for a estimated maximum cost of $16,600.00 to be charged against Water Utility as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-144-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-56

SPECIAL ORDINANCE NO. S-145-77

AN ORDINANCE approving a contract with
John Dehner, Inc. for materials for the
Water Pollution Control Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 10, 1087, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

Labor, Material and Equipment for
Radcliff Court Sewer Relief Project

$2,038.00

all as more particularly set forth on City Utilities Purchase Order No. 9022, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-145-77 on the 12th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-57

SPECIAL ORDINANCE NO. S-146-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 3, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cooper Distributing Co., Inc., City Utilities Purchase Order B9003, for a blanket order for Brass Fittings, all for a estimated maximum cost of $17,285.00, to be charged against Water Utility as the supplies are needed, which said Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 7-12-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-146-77 on the 12th day of July, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1977, at the hour of 1:00 P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1977, at the hour of 2:30 o'clock, P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-04

SPECIAL ORDINANCE NO. S-147-77

AN ORDINANCE authorizing the issuance and sale of $1,000,000.00 First Mortgage Revenue Bonds, Series 1977, Scott Paper Company, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Scott Paper Company, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Economic Development Commission has developed and filed with the City Plan Commission and the Fort Wayne Community Schools a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be Constructed for Scott Paper Company" and the City Clerk has presented the same to the Common Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted a resolution approving the financing of said economic development facilities as described in said Report to be ffinanced by the issuance and sale of revenue bonds to the City of Fort Wayne and the lease of said facilities to Scott Paper

Company, Lessee, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of IC 1971, 18-6-4.5-1 - 18-6-4.5-29; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Economic Development Commission together with the comments thereon by the City Plan Commission and the Fort Wayne Community Schools be accepted and ordered filed.

SECTION 2. That the Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Economic Development Commission.

SECTION 3. The financing of the acquisition and construction of the economic development facilities by the issuance and sale of First Mortgage bonds of the City of Fort Wayne and the lease of said facilities to Scott Paper Company as previously approved by the Fort Wayne Economic Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease Agreement and the Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in IC 1971, 18-6-4.5-1 - 18-6-4.5-29. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds Scott Paper Company in the total principal amount of One Million Dollars ($1,000,000.00) for the purpose of providing funds to acquire and construct the project and lease the same to Scott Paper Company Lessee, (all as more particularly set out in the Lease Agreement and Mortgage and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Scott Paper Company pursuant to the provisions of the financing agreement and other sources as provided in the Lease Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed ____% per annum and at a price of 100% of the principal amount of such bonds. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of the company to assist in the sale of such bonds.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other documents which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to deliver such bonds to the Trustee named on the Mortgage and Indenture of Trust for delivery to the purchasers therefor, payment for which shall be made to the Trustees named in the Mortgage and Indenture of Trust.

SECTION 8. The provisions of this ORdinance and the Mortgage and Indenture of Trust securing such bonds shall constitute a contract binding between the City of Fort Wayne Economic Development First Mortgage Revenue Bonds, Series 1977 Scott Paper Company, Lessee, and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-147-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-05

SPECIAL ORDINANCE NO. S-148-77

AN ORDINANCE approving an expenditure in excess of $2,000.00 for the Department of Community Development and Planning

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Community Development and Planning Department's Summer Cleanup Program is in need of 4 pick-up trucks and 1-14 ft. flatbed truck for services in the neighborhoods described as West Central, Northwest Central, Nebraska, East Central, Hanna-Creighton and Oxford, which will use four (4) pick-up trucks and one (1) 14 foot flatbed truck for the entire period of the program, for a total approximate cost of $4,000.00, all as more particularly set forth on Civil City Purchase Order Nos. 400815 and 400817, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-148-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-06

SPECIAL ORDINANCE NO. S-149-77

AN ORDINANCE approving an Agreement to
Convey Real Estate from the County of
Allen to the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Convey Real Estate dated April 28, 1977, betweent the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the County of Allen for:

Lot 5 in Lanternier's Sub Addition to the City
of Fort Wayne, Allen County, Indiana
(Key No. 9332620005).

for a gain to the City of said real estate, which is no cost to the City, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-149-77 on the 26th day of July, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-14

SPECIAL ORDINANCE NO. S-150-77

AN ORDINANCE approving a contract with
Shambaugh & Son, Inc. for materials for
Water Pollution Control Maintenance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Shambaugh & Son, Inc., for:

For EMERGENCY REPAIRS TO STREET CAVE IN

AT HARRISON & SUPERIOR STREETS $10,926.43

all as more particularly set forth on City Utilities Purchase Order No. 9058, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-150-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-15

SPECIAL ORDINANCE NO. S-151-77

AN ORDINANCE approving purchase orders
for materials for various projects within the
National Highway Safety "Safety Village".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 29, 1977, between the City of Fort Wayne, by and through its Mayor and the Police Department and Arrow Fence Company, Inc., for:

Material and Labor for Chain Link Fence and Gates
per specifications for Safety Village.

$5,098.77

for a total cost of $5,098.77, which is made available to the City of Fort Wayne through the $50,000.00 National Highway Safety Grant, all as more particularly set forth on Civil City Purchase Order No. 4-00842E, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That the contract dated June 29, 1977, between the City of Fort Wayne, by and through its Mayor and the Police Department and Wayne Asphalt & Construction Company, for:

Asphalt Surface Curbs, and Drainage for Safety Village per
Specifications

$28,177.50

for a total cost of $28,177.50, which is made available to the City of Fort Wayne through the $50,000.00 National Highway Safety Grant, all as more particularly set forth on Civil City Purchase Order No. 4-00843E, which is on file in the Office of the Department of Purchasing and is by refernce incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. That the contract dated June 29, 1977, between the City of Fort Wayne, by and through its Mayor and the Police Department and Schmidt Electric, Inc., for:

Materials for Traffic Signal Lights per Specifications
for Safety Village. Items 1 thru 24.

$11,204.20

for a total cost of $11,204.20, which is made available to the City of Fort Wayne through the $50,000.00 National Highway Safety Grant, all as more particularly set forth on Civil City Purchase Order No. 400844E, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confrimed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-151-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-16

SPECIAL ORDINANCE NO. S-152-77

AN ORDINANCE approving Change Order No. 1
in connection with Resolution No. 5738 - 76,
Sidewalk Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Carrington & Associates, Inc., in connection with Resolution No. 573876, for the removal and replacement of sidewalk, in the amount of $640.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-152-77 on the 26th day of July, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-17

SPECIAL ORDINANCE NO. S-153-77

AN ORDINANCE approving a contract with
Cues, Inc. for materials for Water
Pollution Control Engineering

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cues, Inc., for:

1 Internal T. V. Inspection and Grouting

Unit Less trade-in $41,670.00

all as more particularly set forth on City Utilities Purchase Order No. 9038, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passsge and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-153-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-18

SPECIAL ORDINANCE NO. S-154-77

AN ORDINANCE approving a contract with
MacDonald Machinery Company, Inc. for
materials for Water Pollution Control Maintenance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 28, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and MacDonald Machinery Company, Inc., for:

1	1977 High Pressure Sewer Cleaner Truck Mounted	
	Less Trade-In	$17,000.00

all as more particularly set forth on City Utilities Purchase Order No. 9051, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-154-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-06-25

GENERAL ORDINANCE NO. G-28-77

AN ORDINANCE approving the Final Revised Waste Treatment Cost Recovery Report and amend Chapter 24 and approve a new Chapter 34 of The Code of the City of Fort Wayne, Indiana of 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Final Revised Waste Treatment Cost Recovery Report dated May 16, 1977 which is filed with the EPA in connection with the City's Grant C180538 01 and which contains user charge system and industrial cost recovery system as well as regional contract rates and a model contract, all as more particularly set forth in said Report which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That Chapter 24 of The Code of the City of Fort Wayne, Indiana of 1974 is hereby amended by deleting it in its entirety and adding in lieu thereof the entire Chapter 24 entitled "Sewers and Sewerage System" all as set out in the attachment to the Report above mentioned which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. That a new Chapter 34 of The Code of the City of Fort Wayne, Indiana of 1974 is hereby added entitled "Industrial Cost Recovery System" all as set out in the attachment to the Report above mentioned which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-28-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-04-19 (AS AMENDED)

GENERAL ORDINANCE NO. G-27-77

AN ORDINANCE providing for the
establishment of a Cable Communications
System in the City of Fort Wayne

WHEREAS, the City of Fort Wayne does not have a Cable Communications System and it appears desirable to provide such a facility for the use and benefit of the City of Fort Wayne; and

WHEREAS, the Federal Communications Commission of the United States Government has provided that municipal corporations shall establish and control such facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. The Council of the City of Fort Wayne does hereby propose to establish a Cable Communications System in the City of Fort Wayne.

SECTION 2. That the Council of the City of Fort Wayne does hereby approve, adopt and ratify the Fort Wayne Cable Communication System Specifications, a copy of which is attached hereto and made a part hereof by reference in its entirety.

SECTION 3. That this ordinance shall take effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-26-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-27-77 on the 26th day of July, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1977, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1977, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-03 (AS AMENDED) (AS AMENDED)

SPECIAL ORDINANCE NO. S-155-77 (AS AMENDED)

AN ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1978

WHEREAS, the Mayor and the Common Council of the City of Fort Wayne, Indiana, have assigned to each employee of the City of Fort Wayne a labor grade according to the classification system originally established by Ordinance No. S-84-73, which grades accurately reflect the duties and responsibilities of said employees; and

WHEREAS, the Mayor of the City of Fort Wayne has recommended a maximum salary level for each employee of the City of Fort Wayne, according to labor grade; and

WHEREAS, it is the responsibility of the Common Council of the City of Fort Wayne to approve or lower the salary recommendations of the Mayor of the City; and

WHEREAS, the Common Council must assure that salaries reflect the duties and responsibilities assigned to each employee, and be certain that salaries are fair and equitable, and provide an incentive for persons to seek and hold employment with the City of Fort Wayne; and

WHEREAS, the funds for such salaries are to be provided from the 1978 City Budget and other sources as may be specified by the Common Council.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That all employees of the City of Fort Wayne, Indiana, shall be classified by the following departments, titles, and labor grades, and that no change shall be made in any title or in any labor grade level without approval of the Common Council. Further, no employee shall be regarded or retitled during 1978 unless the employee is promoted or demoted during that year to an existing position and no new position shall be created without approval of the Common Council.

CIVIL CITY

POSITIONS AND SET SALARIES FOR THE YEAR 1978

NUMBER OF POSITIONS	TITLE OF POSITION	LABOR GRADE	1978 SALARY
610 - MAYOR'S OFFICE			
1	Mayor	20	29,900
1	Administrative Assistant	17	18,375
1	Executive Secretary A	7	12,408
1	Executive Secretary A	6	9,335
1	Executive Secretary A	6	8,722
620 - CONTROLLER'S OFFICE			
1	Controller	19	25,872
1	Deputy Controller	17	20,166
1	Urban Grants Director	16	17,850
1	Internal Auditor	15	16,663
1	Administrator, Federal Funds	14	18,497
1	Administrative Assistant	13	13,822
2	Cost Accountant	12	13,022
1	Barret Law Accountant	9	10,709
1	Omnibus Crime	8	10,059
1	Executive Secretary A	7	11,139
1	Bookkeeping Machine Operator	7	9,986
2	Accounting Clerk	6	10,504
9	Council Members	U	5,200

630 - PURCHASING

1	Director of Purchasing	16	20,382
1	Asst. Purchasing Director	14	14,489
1	Buyer	10	12,408
1	Buyer	10	13,238
1	Secretary C	4	8,855
1	Clerk-Typist B	2	6,724

640 - METROPOLITAN HUMAN RELATIONS COMMISSION

1	Executive Director	17	18,305
1	Deputy Director	14	15,156
1	Human Relations Rep.	10	11,925
1	Human Relations Rep.	10	13,490
1	Secretary A	6	8,835
1	Secretary B	5	8,305

650 - CITY CLERK

1	City Clerk	U	15,500
1	City Council Attorney	U	15,750
1	Legal Secretary	U	3,996
1	Deputy City Clerk	7	11,648
1	Executive Secretary A	7	9,335
3	Secretary A	6	9,306
1	Executive Secretary C	4	8,789
1	Clerk Typist A	3	8,232
1	Billing Clerk	3	8,232
1	Chief Teller	3	8,232

660 - BOARD OF PUBLIC WORKS

1	Chairman	19	25,872
2	Member of Board	18	20,051
1	Administrative Assistant	15	15,593
1	Clerk of Board	13	16,993
1	Inspector A	10	13,654
1	Minute Record Clerk	7	9,571
1	Secretary A	6	10,309
1	Secretary B	5	9,292

675 - PUBLIC AFFAIRS

1	Director, Citizen's Participation	13	13,719
1	Citizen Participation Specialist	12	13,022
1	Asst. Citizen Participation Spec.	7	9,674
1	Ombudsman	13	13,719
1	Asst. Ombudsman	5	9,512

680 - COMMUNITY DEVELOPMENT & PLANNING

1	Director	19	24,150
1	Director, Current Planning	17	19,950
1/2	Director, Long Range Planning (1/2 Person last yr. - Funded Fed. Grant)	17	8,598
1	Land Use Administrator	15	15,887
1	Associate Planner (Current)	14	18,349
1	Associate Planner (Current)	14	14,446
1	Associate Planner (Long Range)	14	14,446
1	Assistant Planner (Current)	12	14,000
1	Assistant Planner (Current)	12	13,022
1	Assistant Planner (Current)	12	12,924
1	Assistant Planner (Long Range)	12	12,924
1	Zoning Enforcement Administrator	12	13,680
1	Project Technician	11	12,766
1	Asst. Zoning Enforcement Officer	10	11,533
1	Draftsman B	10	11,947
1	Secretary A	6	9,642
1	Secretary A	6	9,318
1	Secretary B	5	8,837
1	Secretary B	5	8,305
1	Executive Secretary C	4	8,811

690 - STREET ENGINEERING

1	Street Engineer	16	20,384
1	Project Engineer	14	16,394
1	Project Engineer	14	17,923
1	Project Engineer	14	15,057
1	Project Engineer	14	15,561
1	Project Engineer	14	16,281
1	Land Acquisition Agent	13	13,719
1	Junior Engineer	12	13,989
1	Junior Engineer	12	13,100
1	Junior Engineer	12	13,022
2	Junior Engineer	12	12,924
1	Engineering Technician	10	14,117
1	Engineering Technician	10	11,447
1	Secretary A	6	9,268
1	Secretary B	5	8,307

700 - BOARD OF SAFETY

1	Chairman, Board of Safety	U	4,000
2	Member, Board of Safety	U	3,500

710 - POLICE

1	*	Chief	17	20,897
1	*	Assistant Chief	16	18,060
2	*	Deputy Chief	15	17,039
11	*	Captain	12	15,800
16	*	Lieutenant	11	15,045
14	*	First, Master Sergeant	10	14,444
40	*	Sergeant	10	14,292
15	*	Tech I, Detective I	10	13,540
219	*	Tech II, Detective II, Patrolman	9	13,540
1		Attorney	U	12,600
1		Chemist	14	17,820
1		Mechanic	8	11,389
1		Mechanic	8	11,935
1		Mechanic	8	11,847
1		Mechanic	8	12,844
1		Executive Secretary B	5	8,305
1		Executive Secretary B	5	9,112
1		Mechanic Helper	5	10,410
1		Mechanic Helper	5	9,864
1		Mechanic Helper	5	10,435
4		Secretary B	5	8,724
1		Executive Secretary C	4	8,673
1		Executive Secretary C	4	8,222
1		Executive Secretary C	4	8,496
5		Clerk Typist A	3	7,959
1		Clerk Typist A	3	7,717
1		Clerk Typist A	3	7,363
1		Clerk Typist A	3	7,306
1		Custodian	3	9,235

* = Police and Firefighters

A All sworn officers, up to and including Captains, regularly assigned to "B" and "C" shifts of the Fort Wayne Police Department, shall receive a shift differential as follows:

(a) Those regularly assigned to "B" shift, or any shift beginning between 12 Noon and 3:00 P.M. shall have added to their regular determined earnings 5% of the base patrolman's salary for such pay period.

(b) Those regularly assigned to "C" shift, or any shift beginning between 9:00 P.M. and 12 Midnight, shall have added to their regular determined earnings 10% of the base patrolman's salary for each pay period.

Those eligible for the shift differential shall not include patrolmen with less than six months seniority, civilian employees, any officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the shift differential for police pension purposes.

B. Technician classifications for police officers are established to reflect greater responsibilities and pay rates over other basic officers as determined by department management. Technician adders are as follows to a limited total of $22,800:

Technician I Rating	$700 per year
Technician II Rating	$400 per year
Detective I Rating	$500 per year
Detective II Rating	$300 per year

In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the technician pay for police pension purposes.

C. All sworn personnel of the Fort Wayne Police Department being regularly employed as police officers shall receive monetary incentive for successfully completing courses at an accredited college or university as follows:

(a) From 1 - 60 semester hours, or 1 - 90 quarter hours the officer shall receive a bonus of $10 per year for every semester or quarter completed with a grade "C" or better.

(b) In excess of 60 semester hours or 90 quarter hours, the officer shall receive a bonus of $10 per year for every semester hour completed with a grade "C" or better.

(c) An additional bonus of $300 per year shall be granted to all officers receiving a four-year baccalaureate degree or its equivalent. Those receiving a two-year associate degree or its equivalent, shall receive a bonus in the amount of $150. In no case shall the bonus for an earned degree exceed $300 or a total bonus for any one officer exceed $1,500.

(d) Those attending police oriented seminars, conferences, institutes, or schools shall receive 1/2 semester or 3/4 quarter hour of credit upon successful completion of the course.

The bonus shall be added to the officer's regularly determined earnings. In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Annotated Section 48-6403, be considered as including the educational bonus for police pension purposes.

Those eligible for the educational incentive program shall not include officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

NUMBER OF POSITIONS		TITLE OF POSITION	LABOR GRADE	1978 SALARY
730 - FIRE				
1	*	Chief	17	20,897
1	*	Deputy Chief	16	17,651
6	*	Assistant Chief	15	17,018
7	*	District Chief	13	16,169
16	*	Platoon Captain	12	15,463
41	*	Captain	11	14,791
18	*	Lieutenant	10	14,150
189	*	Firefighter	9	13,540
1		Secretary B	5	9,713
1		Secretary B	5	9,169
1		Secretary B	5	8,809
1		Secretary B	5	8,305
		* = Police and Firefighters		
740 - OFFICE OF EMERGENCY SERVICES				
1		Coordinator	13	15,990
1/2		Secretary A	6	4,798
750 - WEIGHTS & MEASURES				
1		Inspector	10	15,306
1		Asst. Inspector	6	10,309

760 - COMMUNICATIONS

1	*	Chief T1	15	17,039
1	*	Captain Radio Shop T1	13	15,800
1	*	Captain Dispatcher T1	13	15,046
4	*	Lieutenant T2	11	14,444
4	*	Radio Technician T1	10	14,745
1		Radio Technician T1 - Civilian	10	14,222
3	*	Sergeant T2	10	14,292
18	*	Dispatcher T2	9	13,540
1		Executive Secretary B	5	8,835

* = Police and Firefighter

A. Technician Classifications for Communications Department officers are established to reflect technical requirements and pay rates over basic officer's as determined by department management. Technician adders are as follows to a limited total of $17,900:

Technician I	$700 per year
Technician II	$500 per year

770 - TRAFFIC ENGINERRING

1		Traffic Engineer	16	19,801
1		Asst. Traffic Engineer	15	14,999
1		Asst. Traffic Engineer	15	17,700
1	*	Engineer Fire	15	17,017
1		Project Engineer	14	14,552
2	*	Signal Foreman	13	16,168
1		Sign & Marking Supervisor	12	15,234
1	*	Signal Electrician	11	16,168
7	*	Signal Electrician	11	14,791
1		Engineering Technician	10	11,717
4	*	Signal Apprentice A	10	14,150
1		Data Processing Technician	9	13,288
1		Data Processing Technician	9	10,956
3		Painter First Class	7	11,025
1		Painter First Class	7	11,529
2		Painter First Class	7	10,053
1		Painter First Class	7	11.443
1		Secretary B	5	10,054
1		Clerk-Typist A	3	8,232
1		Clerk-Typist A	3	8,279

* = Police and Firefighter

790 - LAW

1	Associate City Attorney	U	16,505
4	Associate City Attorney	U	11,338
1	Associate City Attorney	U	8,627
1	City Attorney	U	19,949
1	Executive Secretary	7	9,335
1	Secretary B	5	8,306

810 - HUMANE COMMISSION

1	Manager, Humane Shelter	12	14,457
1	Special Humane Officer	9	12,746
1	Technician	8	10,061
2	Humane Officer	8	12,428
1	Humane Officer	8	12,426
1	Humane Officer	8	10,137
2	Humane Officer	8	10,061
2	Clerk Dispatcher	3	9,102
1	Clerk-Typist A	3	8,722
1	Office Worker	3	7,153
1	Kennel Worker	3	9,102
1	Kennel Worker	3	8,722
1	Kennel Worker	3	7,153

835 - EMERGENCY MEDICAL SERVICE

1	*	Director -EMS	14	16,500
1		Asst. Director - EMS	12	13,022
3		Shift Supervisor	8	11,303
26		Emergency Medical Technician	7	10,532
1		Emergency Medical Technician	7	10,709
1		Executive Secretary A	7	9,335

* = Police andFirefighter

20-840 - BOARD OF AVIATION

1	Clerk	U	5,460
1	Airport Manager	18	23,625
1	Asst. Airport Manager (Admin.)	14	17,492
1	Asst. Airport Manager (Finance)	13	14,961
1	Asst. Airport Manager (Operations)	13	14,961
1	Chief Crash Firefighter (Police)	13	14,961
1	Capt. Crash Firefighter (Police)	12	13,587
1	Electrician	12	12,924
1	Capt. Crash Firefighter (Police)	12	13,468
1	Lt. Crash Firefighter (Police)	10	12,673
1	Lt. Crash Firefighter (Police)	10	12,924
1	Superintendent Roads/Grounds Airport	10	12,260
1	Asst. Supt. Roads/Grounds Foreman	10	11,448
1	Carpenter	10	11,448
1	Mechanic	10	12,260
1	Plumber	10	12,260
1	Heavy Equip. Operator	9	10,777
1	Heavy Equip. Operator	9	11,327
2	Crash Firefighter (Police Officer)	9	12,308
1	Capt. Traffic	9	12,308
1	Chief Custodian	7	11,790
1	Water Filtration	6	8,787
1	Crash Firefighter Police Trainee	6	10,059
1	Water Plant Operator Trainee	6	8,787
1	Asst. Bookkeeper	5	8,305
3	Equip. Operator	4	8,721
1	Jr. Equip. Operator	4	7,711
1	Jr. Equip. Operator	4	7,654
2	Terminal Police	4	8,263
3	Janitor	3	7,208
1	Janitor	3	9,067
1	Janitor	3	8,403
1	Janitor	3	8,136
1	Janitor	3	7,824
1	Janitor	3	7,153
1	Laborer	2	8,536

21 - 850 - PARK DEPARTMENT

1	Director, Parks & Recreation	18	22,365
1	Assistant Director, Parks	15	17,270
1	Assistant Director, Recreation	15	17,270
1	Business Manager	15	16,857
1	Zoo Director	13	18,121
1	Director	11	13,808
1	Director of Park Service Officer	11	14,267
1	Director of Special Services	11	15,260
1	Supervisor A - Landscape	11	15,060
3	Supervisor A - Maintenance	11	15,260
1	Golf Pro-Greenskeeper MCM	10	14,645
1	Horticulturist	10	13,990
1	Parkitecht	10	13,789

4	Supervisor B - Maintenance	10	14,424
1	Supervisor B - Maintenance	10	11,448
1	Supervisor B - Recreation	10	15,060
1	Supervisor B - Recreation	10	14,424
1	Supervisor B - Recreation	10	14,004
1	Supervisor B - Recreation	10	13,793
1	Supervisor B - Recreation	10	11,533
5	Group Leader	9	12,435
2	Golf Pros	9	6,928
1	Park Cleaning Route Man	9	11,282
1	Research Analyst/Admin. Assist.	9	12,714
1	Supervisor C - Greenskeeper	9	13,391
1	Supervisor C - Greenskeeper	9	13,359
1	Supervisor C - Recreation	9	10,709
1	Supervisor C - Recreation	9	12,795
1	Working Leader - Zoo	9	11,854
1	Zoo Curator - Educational Spec.	9	10,629
3	Carpenter - General Maintenance	8	12,072
1	Carpenter - General Maintenance	8	10,061
1	City Util. Park Man	8	12,072
1	Draftsman B	8	10,061
1	Electrician	8	12,072
3	Fleet Mechanic	8	12,072
1	Franke Park Man	8	12,072
2	Heavy Equipment Operator	8	12,072
1	Heavy Equipment Operator	8	11,607
3	Hi-Ranger Operator	8	12,072
1	Landscape Foreman	8	12,072
2	Mason-Carpenter	8	12,072
1	Painter	8	12,072
4	Park Mowing Route Man	8	12,072
5	Park Service Officer	8	12,473
2	Plumber	8	12,072
2	Small Motor Mechanic	8	12,072
1	Stockroom Keeper	8	12,072
1	Supervisor C - Recreation	8	10,137
1	Welder	8	12,072
3	Construction-Gen. Maint. Helper	7	11,709
1	Electrician Helper	7	11,709
4	Gardener	7	11,709
1	Landscape Gardener	7	10,777
1	Landscape Gardener	7	11,709
1	McMillen Park Man	7	11,709
1	Greenhouse Man	6	11,225
1	Light Equipment Operator	6	11,225
4	Painter & Plumber Helper	7	11,709
1	Recreation Stockman	7	11,709
5	Special Equipment Operator	7	11,709
2	Ball Diamond Route Man	6	11,225
1	Ball Diamond Route Man	6	10,622
1	Ball Diamond Route Man	6	8,722
1	Boulevard Route Man	6	11,225
2	Boulevard Route Man	6	8,722
1	Foster Park Man	6	11,225
1	Garbage Truck Operator	6	11,225
3	Golf Course Man	6	11,225
1	Ice Rink Maintenance	6	11,225
1	McCulloch Center Custodian	6	11,225
4	Park Cleaning Route Man	6	11,225
1	Park Helper	6	10,709
4	Park Mowing Route Helper	6	11,225
2	Relief Man	6	11,225
1	Safety-First Aid Coord.	6	11,225
8	Tractor Operator	6	11,225
1	Tractor Operator	6	8,722
2	Zoo Maintenance Helper	6	8,787
1	Zoo Maintenance Man	6	11,225
1	Boulevard Crew Helper	5	10,622
1	Boulevard Crew Helper	5	8,305
1	Garbage Crew Helper	5	10,622
2	Garden Helper	5	10,622
1	Garden Helper	5	9,652
1	Garden Helper	5	10,515

1	Greenhouse Helper	5	8,305
1	Greenhouse Helper	5	9,379
1	Landscape Gardener	5	10,622
1	Paint Helper	5	8,305
4	Park Cleaning Route Helper	5	10,622
3	Park Helper	5	10,622
1	Park Helper	5	9,335
1	Recreation Leader A	5	8,877
4	Tree Crew Helper	5	10,622
1	Recreation Leader B	4	7,654
1	Recreation Leader B	4	9,427
1	Recreation Leader B	4	9,761
1	Recreation Leader B	4	7,711
2	Clerk-Typist A	3	9,652
1	Clerk-Typist A	3	9,421
1	Clerk-Typist A	3	7,153
1	Clerk A	2	8,956
1	Clerk A	2	8,726
2	Clerk-Typist B	2	6,771
1	Clerk-Typist B	2	6,724
1	Clerk-Typist B	2	7,252
1	Clerk B	1	7,772
1	Clerk B	1	6,223

23-870 - REDEVELOPMENT DISTRICT GENERAL FUND

1	Executive Director	18	25.724
1	Urban Renewal Planner	14	16,202
1	Administrative Assistant	12	13,022
1	Draftsman A	10	11,533
1	Secretary B	5	9,783

32-891 - PARKING ADMINISTRATION

1	Parking Administrator	13	15,154
1	Parking Control Officer I	9	13,432
1	Parking Control Officer II	8	10,137
1	Working Leader Parking Garage	8	12,059
2	Parking Control Officer III	4	8,136
1	Secretary C	4	8,855
1	Utility Man (Custodian)	3	7,413
1	Utility Man	3	8,136
1	Attendant	2	7,704

SECTION 2. That from and after the first day of January, 1978, all appointive officers, employees, deputies, assistants, departmental and institutional heads of the City of Fort Wayne, Indiana be paid according to this, the above, and the following provisions of this ordinance, subject to budgetary provisions.

SECTION 3. All department must conform to Personnel policies as approved by the Mayor and administered by the City's Personnel Department.

SECTION 4. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
Hunter
Abstained: One
D. Schmidt
Absent: One
Burns

Date: 8-1-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-155-77 (as amended) on the 1st day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of August, 1977, at the hour of 4:15 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 3rd day of August, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-23

SPECIAL ORDINANCE NO. S-156-77

AN ORDINANCE approving blanket purchase order for materials for the Community Development and Planning Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the contract dated July 12, 1977, between the city of Fort Wayne, by and through its Mayor and the Board of Public Works and Superior Paint Products, Inc., Civil City Purchase Order No. 4-01009, for a blanket order for Paint and Supplies, all for a maximum cost of $1,577.94 to be charged against Community Development and Planning Department as the supplies are needed, which said purchase order is on file in the office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-156-77 on the 9th day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-24

SPECIAL ORDINANCE NO. S-157-77

AN ORDINANCE approving blanket purchase order for materials for the Community Development and Planning Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 12, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Ream Steckbeck Paint Company, Civil City Purchase Order No. 4-01008, for a blanket order for Paint and Supplies, all for a maximum cost of $10,548.88 to be charged against Community Development and Planning Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-157-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-26

SPECIAL ORDINANCE NO. S -158-77

AN ORDINANCE approving a Real Estate Sale and Purchase Contract between Cities Service Oil Company and the Board of Public Works and the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract for Sale and Purchase of Real Estate dated July 1, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cities Service Oil Company, for:

Lots 214 and 215 together with the South 20 feet of Lot 213, all in Lewis Addition to the City of Fort Wayne, Indiana,

for a total cost of $18,250.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-158-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

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BILL NO. S-77-07-27

SPECIAL ORDINANCE NO. S-159-77

AN ORDINANCE approving a contract between Gladieux Refinery, Inc., and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and Gladieux Refinery, Inc., for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to-wit:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007-1 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast 1/4 of Section 8.

67-0008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast 1/4 of Section 8.

67-9990-4012 South 86, 100 square Feet Northeast 1/4 Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast 1/4 Section 8. 60 acres.

67-0008-9975 East 410.2 of West 1454.4 feet Northeast 1/4 between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast 1/4 South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of $284,740 issued by the Adams Township Assessor's Office.

SECTION 2. The cost to Gladieux Refinery, Inc., shall be the sum of $3,214.43, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-159-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-28

SPECIAL ORDINANCE NO. S-160-77

AN ORDINANCE approving a contract between Commercial Warehouse and Cartage, Inc. and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated June 1, 1977, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and Commercial Warehouse and Cartage, Inc. for fire protection from the Fort Wayne Fire Department on specified grounds outside city limits, described as follows, to-wit:

2425 American Way, Allen County, Indiana

SECTION 2. The cost to Commercial Warehouse and Cartage, Inc. shall be the sum of $2,077.74, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-160-77 on the 9th day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

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BILL NO. G-77-07-47

GENERAL ORDINANCE NO. G-29-77

AN ORDINANCE requiring the Board of Public Works to submit a budget to the Common Council of the City of Fort Wayne its operation of City Utilities including salaries and wages paid out of said City Utilities

WHEREAS, The City Utilities of the City of Fort Wayne, Indiana, are operated under the Board of Public Works of said City of Fort Wayne; and,

WHEREAS, I.C. 8-1-2-100 requires that each year at a time to be fixed by the Common Council, said Board of Public Works shall submit a budget of its financial needs for operation of said Utilities for the ensuing year to be set out in such detail as the Common Council may direct, including compensation paid for salaries and wages from said Utilities account;

NOW, THEREFORE, BE IT ORDAINED BY COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works of the City of Fort Wayne, Indiana, shall submit a budget of its financial needs for the calendar year 1978 for the operation of the City Utilities and set out in said budget its financial needs for salaries and wages of all persons both elected and appointed officials and employees as well as employees of the civil city of Fort Wayne, Indiana, paid in whole or in part from funds generated by said utilities and that said budget contain in detail all items of receipt and expenses including, and not limited to, receipt and expenses in the operation of said utility ;

SECTION 2. Said budget shall be submitted to the Common Council of the City of Fort Wayne, Indiana, no later than November 1 , 1977;

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-29-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-08-08

RESOLUTION NO. R-40-77

A RESOLUTION authorizing application
for funds under Title 1 of the Housing
and Community Development Act of 1974.

WHEREAS, the Housing and Community Development Act of 1974 has made available certain funds to the City of Fort Wayne, Indiana, for community development purposes; and

WHEREAS, these funds must be used primarily for the prevention or elimination of blight, or for the benefit of low or moderate income people; and

WHEREAS, there exists with the City of Fort Wayne areas of blight or deterioration; and

WHEREAS, the City of Fort Wayne has developed a community development program which is consistent with the goals of this act; and

WHEREAS, the Common Council has reviewed the application and proposed program elements and have found it consistent with the City's overall strategy for preventing the further spread of blight and deterioration; and

WHEREAS, this community development program was given a public hearing on _____ in the Chamber of this Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council hereby reaffirms its intent to eliminate blight within the City of Fort Wayne.

2. That the Common Council endorses the strategy of this program to prevent the further spread of blight and deterioration.

3. That the Mayor of the City of Fort Wayne is hereby designated as the authorized representative of the City to act in connection with the application and to provide the Department of Housing and Urban Development such information as may be required.

4. That the attached community development application and program including all assurances contained therein, be approved and forwarded to the Department of Housing and Urban Development for funding.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stier

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-40-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-08-09

RESOLUTION NO. R-41-77

A RESOLUTION authorizing payment of repair of damages of Traffic Engineering equipment.

WHEREAS, Traffic Engineering equipment, M-1 cabinet without heater and three SCR-4 bases, was damaged in an accident on December 7, 1976;

WHEREAS, insurance monies have been received and receipted in the Controller's Office.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $594.50 to Traffic Control Corporation for the repair of the M-1 cabinet without heater and three SCR-4 bases.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-41-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-08-10

RESOLUTION NO. R-42-77

A RESOLUTION authorizing payment for
repairs to police vehicles.

WHEREAS, the Board of Public Safety's police vehicle, a 1976 Plymouth, 4 door, bearing license plate 11130, was damaged in an accident and insurance monies were received and receipted in the Controller's Office; and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $787.67 for the repair of said vehicle; and

WHEREAS, the Board of Public Safety's traded police vehicle No. 20, a 1975 Ford, bearing license plate 11120, was completely wrecked before the trade was consummated and insurance monies were received and receipted in the Controller's Office; and

WHEREAS, Poinsatte Motors has submitted an estimate in the amount of $1,595.00 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $787.67 to Northway Chrysler Plymouth for the repair of the 1976 Plymouth, License No. 11130.

SECTION 2. That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $1,595.00 to Poinsatte Motors for the repair of the 1975 Ford, License No. 11120.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-42-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-08-11

RESOLUTION NO. R-43-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Aviation Department.

WHEREAS, due to delays in updating the Environmental Impact Report brought about by Federal Aviation Administration changes, the land purchase contemplated by ADAP Grant 6-18-0022-05 (Budget Item 730) cannot be made during 1977;

WHEREAS, it has been agreed between the FAA and the Board of Aviation Commissioners that ADAP monies available to Fort Wayne for 1977 will be used for pavement overlayments instead of land purchases (Budget Item 713)

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $850,000.00 is hereby transferred from Account No. 20-840-730, Land to Account No. 20-840-713, Ground & Surface Improvements, in the 1977 Budget of the Aviation Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-43-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-08-12

RESOLUTION NO. R-44-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Sanitary Officer's
Pension Fund.

WHEREAS, a fire proof file cabinet is needed to store records for Sanitary Officers; and

WHEREAS, there are sufficient funds in the Telephone & Telegraph Account No. 42-833-214 for said expense.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $600.00 is hereby transferred from Account No. 42-833-214, Telephone & Telegraph, to Account No. 42-833-721, Furniture and Fixtures, in the 1977 Budget of the Sanitary Officers Pension Fund.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, Stier, D. Schmidt, V. Schmidt, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-44-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-76-12-09

ZONING MAP ORDINANCE NO. Z-16-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Maps No. EE 14, EE 16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Maps No. EE 14 and EE 16, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the West Half of the Sourthwest Quarter of Section 28, Township 30 North, Range 12 East, and part of the West Half of the Northwest Quarter of Section 33, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit: Commencing at the Southwest corner of the Southwest Quarter of said Section 28, thence S 88 - 21' E, along the South line of said Southwest Quarter, being the centerline of Lower Huntington Road, 29.7 feet to the point of curvature of a regular curve left of a radius of 1482.78 feet; thence Easterly, on and along said centerline, as defined by the arc of said curve, 31.3 feet (the chord of which bears S 88 - 57'E for a length of 31.3 feet) to the true point of beginning; thence Northeasterly, continuing along said centerline, as defined by the arc of said curve, 571.68 feet (the chord of which bears N 79 -24' E for a length of 568.15 feet to the point of tangency; thence N 68 - 21' E, continuing along said centerline and tangent to said curve, 170.7 feet to the West line of Hickory Creek Apartments; thence S 00 - 05' E, on and along said West line, 376.35 feet; thence S 79 - 50' W, 500 ± feet to the centerline of Fairfield Ditch; thence Northwesterly on and along the meanderings of said Ditch centerline, 400 ± feet to the true point of beginning, containing 4.6 acres, more or less, subject to legal right of way for Lower Huntington Road.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Read the third time in full and on motion by V. Schmidt, seconded by Stier,, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-16-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-11

ZONING MAP ORDINANCE NO. Z-17-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A-11, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 20, 21, and 22, Young's Place Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat thereof, recorded in Plat Book 10, page 95, in the Office of the Recorder of Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-17-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-06-38

ZONING MAP ORDINANCE NO. Z-18-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB6

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General ORdinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB6, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Lot 25 in the Plat of Quimby's Southwest Village, an Addition to the City of Fort Wayne, as recorded in Plat Book 18, page 2, in the Office of the Recorder of Allen County, Indiana, and in particular described as follows; to-wit:

BEGINNING at the Southwest Corner of Lot Number 25, Quimby's Southwest Village, an Addition to the City of Fort Wayne, Indiana; thence Northeasterly along the Southerly line of the said Lot Numbered 25, which is also the Northerly line of the Bluffton State Road, a distance of 120.0 feet; thence Northwesterly on a line perpendicular to the last described line a distance of 90.0 feet; thence Northwesterly by a deflection to the left of 45 degrees, a distance of 14.1 feet; thence Southwesterly by a deflection to the left of 45 degrees, a distance of 70.8 feet to the west of the said Lot Numbered 25, Thence Southerely along the said West line of the said Lot Numbered 25, a distance of 107.5 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V.Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-18-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-76-09-12

GENERAL ORDINANCE NO. G-30-77

AN ORDINANCE amending General
Ordinance No. G-97 by authorizing
the vacation of a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53744), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, towit:

> Scots Court, a 50 foot street, extending west 130 feet from the west right-of-way of West Cedar Crest Circle, to its western most terminus, located between Lots #13 and #12 of Scotsville Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. G-30-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-07-30

GENERAL ORDINANCE NO. G-31-77

AN ORDINANCE repealing General
Ordinance No. G-26-77.

WHEREAS, on April 12, 1977, the Common Council of the City of Fort Wayne adopted General Ordinance No. G-26-77, authorizing the vacation of a certain street; and

WHEREAS, the description of the street to be vacated was not set out in said ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That General Ordinance No. G-26-77 be, and it hereby is, repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-31-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-32

SPECIAL ORDINANCE NO. S-161-77

AN ORDINANCE approving a contract with
John Dehner, Inc., for Resolution No.
5758-1977.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 11, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

Resolution No. 5758-1977: To repair pavement on South Anthony Boulevard between Fairfax and Pettit on east side the north bound lane.

for a total cost of $9,674.10, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols , D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-161-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-33

SPECIAL ORDINANCE NO. S-162-77

AN ORDINANCE approving a contract with
Wayne Asphalt and Construction Co., Inc.
for Resolution No. 5760-1977.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 11, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Wayne Asphalt and Construction Co., Inc. for:

Resolution No. 5760-1977: To improve Wells Street from State Boulevard to Northrop Street as described on the attached resolution.

for a total cost of $346,384.05, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-162-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-34

SPECIAL ORDINANCE NO. S-163-77

AN ORDINANCE approving a contract with
John Dehner, Inc., for Resolution No.
5753-1977.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 11, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

Resolution No. 5753-1977: Removal and replacement of sidewalks on Runnion Avenue from the north property line of Main Street to the Norfolk and Western Railroad.

for a total cost of $28,027.25, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-163-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-35

SPECIAL ORDINANCE NO. S-164-77

AN ORDINANCE approving a contract with
John Dehner, Inc., for Resolution No.
5762-1977.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 8, 1977, between the City of Fort Wayne, by and through its Mayor and the the Board of Public Works and John Dehner, Inc., for:

Resolution No. 5762-1977: To improve the Intersection
of Bluffton Road and Old Trail Road.

for a total cost of $216,428.26, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-164-77 on the 9th day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-36

SPECIAL ORDINANCE NO. S-165-77

AN ORDINANCE approving Change Order
No. 1 in connection with Oxford Impact
Area, Phase II.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Hipskind Asphalt Corporation in connection with Resolution No. 5733-1976-concrete removal and supplies in the amount of $1,748.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-165-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-37

SPECIAL ORDINANCE NO. S-166-77

AN ORDINANCE approving Change Order
No. 2 in connection with Old Fort Parking Lot.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Dailey Asphalt, Inc. in connection with Old Fort Parking Lot, in the amount of $6,625.00 as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-166-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-25

SPECIAL ORDINANCE NO. S-167-77

AN ORDINANCE approving a contract with
Hoosier Ford, Inc., for materials for
Water Pollution Control Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 6, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hoosier Ford, Inc., for:

2 1978 Van Trucks	$5,620.84/ea	$11,241.68
Less TradeIn Unit No. 6W - 1964 Chevy Van 1 ton Serial No. 4G125P116413		100.00
		$11,141.68

all as more particularly set forth on City Utilities Purchase Order No. 9064, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-167-77 on the 9th day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-38

SPECIAL ORDINANCE NO. S-168-77

AN ORDINANCE approving a contract with
Bercot, Inc., for contract No. 76-XP-5
construction of Dunkleberg Road connecting
feeder main.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the contract dated July 11, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Bercot, Inc., for:

3500 ± feet of 16" water main on Dunkleberg Road
from a point 2500 ± East of Bluffton Road to Hemphill Drive.

for a total cost of $85,911.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-168-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-39

SPECIAL ORDINANCE NO. S-169-77

AN ORDINANCE approving Change Order No. 1
in connection with Sherman, Elmer & Mildred
Street Repair.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to T-G Excavating, Inc. in connection with Sherman, Elmer & Mildred Street Repair, Purchase Order No. 3-34497, in the amount of $420.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-169-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.
Robert E. Armstrong, Mayor

BILL NO. S-77-07-40

SPECIAL ORDINANCE NO. S-170-77

AN ORDINANCE approving blanket purchase order for materials for the Water Pollution Control Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 8, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Allied Chemical Corporation, City Utilities Purchase Order No. B-9078, for a blanket orde r for Liquid Aluminum, all for a maximum cost of $87.40/Ton to be charged against Water Pollution Control Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-170-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-41

SPECIAL ORDINANCE NO. S-171-77

AN ORDINANCE approving a contract with
All Phase Electric for materials for
City Street Lighting.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and All Phase Electric, for:

50 R.C.O.C. - Relay - Type MR-XG - Spec. 6356
Instruction #11154 - Load Rating - Sing. Pole
30 AMP - 125 Volt AC - Control Rating 120 Volt
60 Cuc.
$43.75/ea

TOTAL: $2,187.50

all as more particularly set forth on City Utilities Purchase Order No. 9059, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-171-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-42

SPECIAL ORDINANCE NO. S-172-77

AN ORDINANCE approving a contract with
John Dehner, Inc., for North Maumee
Interceptor Sewer Resolution No. 290-77,
Sec. I & II.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 18, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

City of Fort Wayne, Indiana
Water Quality Control Sewage Works
Project C-180839-01; North Maumee
Interceptor Sewer Resolution No.
290-77, Section I and II,

for a total cost of $2,643,229.91, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilma

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-172-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-43

SPECIAL ORDINANCE NO. S-173-77

AN ORDINANCE approving the Water Pollution
Control Treatment Agreement between the
City of Fort Wayne and New Haven.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated July 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the City of New Haven, by and through its Mayor and the Board of Pubic Works and Safety, for:

> The City of Fort Wayne, Indiana to receive and
> treat sewage from the City of New Haven, Indiana.
> Pursuant to an order of the Stream Pollution Control
> Board of the State of Indiana,

said Agreement also provides that all costs of the inter-connection including the planning, inspection and construction of any transporting sewer line to said connection point shall be borne exclusively by the City of New Haven, Indiana, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-173-77 on the 9th day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-44

SPECIAL ORDINANCE NO. S-174-77

AN ORDINANCE approving a contract with
Bercot, Inc., for North Maumee Interceptor
Sewer Resolution No. 290-77, Sec. III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 18, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Bercot, Inc., for:

City of Fort Wayne, Indiana
Water Quality Control Sewage
Works Project C18083901;
North Maumee Interceptor
Sewer Resolution No. 290-
77, Section III,

for a total cost of $192,337.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burn
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-9-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-174-77 on the 9th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock, P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-04

SPECIAL ORDINANCE NO. S-175-77

AN ORDINANCE approving a certain bid
document for aluminum traffic sign
blanks for the Traffic Engineering Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 795 dated June 17, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, and Hall Signs, Inc. for aluminum sign blanks for a total cost of $4,316.90, all as more particularly set forth in said bid document Ref. No. 795 and Purchase Order No. 4-01058, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-175-77 on the 23rd day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-06

SPECIAL ORDINANCE NO. S-176-77

AN ORDINANCE authorizing the issuance and sale of $2,000,000.00 First Mortgage Revenue Bonds, Series 1977, Midwest Refinery Company, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Midwest Refinery Company, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Economic Development Commission has developed and filed with the City Plan Commission and the Fort Wayne Community Schools a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be Constructed for Midwest Refinery Company" and the City Clerk has presented the same to the Common Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted a resolution approving the financing of said economic development facilities as described in said Report to be financed by the issuance and sale of revenue bonds to the City of Fort Wayne and the lease of said facilities to Midwest Refinery Company, Lessee, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of IC 1971, 18-6-4.5-1 - 18-6-4. 5-29; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Economic Development Commission together with the comments thereon by the City Plan Commission and the Fort Wayne Community Schools be accepted and ordered filed.

SECTION 2. That the Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Economic Development Commission.

SECTION 3. The financing of the acquisition and construction of the economic development facilities by the issuance and sale of First Mortgage bonds of the City of Fort Wayne and the lease of said facilities to Midwest Refinery Company as previously approved by the Fort Wayne Economic Development Commission and presented to the Common Concil will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease Agreement and the Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in IC 1971, 18-6-4.5-1 -18-6-4.5-29. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds Midwest Refinery Company in the total principal amount of Two Million ($2,000,000.00) Dollars for the purpose of providing funds to acquire and construct the project and lease the same to Midwest Refinery Company Lessee, (all as more particularly set out in the Lease Agreement and Mortgage and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Midwest Refinery Company pursuant to the provisions of the financing agreement and other sources as provided in the Lease Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed __% per annum and at a price of 100% of the principal amount of such

bonds. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of the company to assist in the sale of such bonds.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other documents which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to deliver such bonds to the Trustee named on the Mortgage and Indenture of Trust for delivery to the purchasers therefor, payment for which shall be made to the Trustees named in the Mortgage and Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing such bonds shall constitute a contract binding between the City of Fort Wayne Economic Development First Mortgage Revenue Bonds, Series 1977 Midwest Refinery Company, Lessee, and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V.Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-176-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-07

SPECIAL ORDINANCE NO. S-177-77

AN ORDINANCE authorizing the Park Department to proceed with the sale of the former Jefferson Center site.

WHEREAS, the City of Fort Wayne, by and through its Department of Public Parks, is the owner of the following described real estate in Allen County, Indiana, to-wit:

> Lots numbered 1, 2, 3 and 4 in Sturgis Addition to Fort Wayne, In Allen County, Indiana, according to the plat thereof, recorded in Deed Record Q, page 169, in the Office of the Recorder of Allen County, Indiana,

such property more commonly being known as the Jefferson Community Center property, located at the southwest corner of Jefferson Boulevard and Fairfield Street, Fort Wayne, Indiana; and

WHEREAS, the site is not conducive for development as recreational facilities because of traffic conditions in the immediate area; and

WHEREAS, it is in the best interest of the City of Fort Wayne for the above described property to be sold; and

WHEREAS, the proceeds of the sale of such property should be used in the development of an alternate site for construction of a park in an area within the west central neighborhood.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Board of Park Commissioners is hereby authorized to proceed with the sale of the above described property.

SECTION 2. That the proceeds of such sale shall be expended in the construction of a park in the west central neighborhood.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. WEsterman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-177-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-06-35

SPEICAL ORDINANCE NO. S-LOST

AN ORDINANCE approving a petition for
street name change

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the portion of Spy Run Avenue Extended, extending from the eastern right-ofway of the intersection of Spy Run Avenue and Clinton Street, (The Old Centlivre Brewery), extending north along the St. Joe River, to the western right-of-way of Parnell Avenue, where the street presently dead-ends at the entrance to the Johnny Appleseed Graveside, be and the same is hereby changed to JOHNNY APPLESEED DRIVE.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Lost by the following vote:

Ayes: One
D. Schmidt
Nays: Six
Burns, Hinga, Hunter, V. Schmidt, Stier, Talarico
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

BILL NO. Z-75-12-14

ZONING MAP ORDINANCE NO. Z-19-77

AN ORDINANCE amending the City of Fort Wayne
Zoning Map E-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lots 99 and 100 Abbotts Addition to East Wayne presently zoned B1B Lots 97 and 98 Abbotts Addition to East Wayne presently zoned R3 at 2613 through 2635 Edsall Avenue, Fort Wayne, Indiana Lot 101 Abbotts Addition to East Wayne presently zoned B1B

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-19-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-13

ZONING MAP ORDINANCE NO. Z-20-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. FF-1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. FF-1, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The East .72 acre of the West 1.44 acre in
Lot #18 Edsall's Subdivision, part of Lagro
Reserve South of Upper Huntington Road,
Fort Wayne, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-20-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-06-36

ZONING MAP ORDINANCE NO.-Z-21-77

AN ORDINANCE amending the City
of Fort Wayne Zoning Map Nos.
A-11 and B-11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WYANE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map Nos. A11 and B11, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Block 4 except the east 150 feet thereof, all in River-view Park Extended Addition in the City of Fort Wayne, Allen County, Indiana; and the north 1/2 of vacated Street known as Riverview Drive

SECTION 2. That the area described as follows is hereby designated a R1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map Nos. A11 and B11, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Blocks 7, 8, 9, 10, 11, 12 and all of Block 13 except the west 200 feet thereof, including all rights to any alleys between any such blocks, all in Riverside Park Extended Addition in the City of Fort Wayne, Allen County, Indiana

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-21-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-08-47 (AS AMENDED)

RESOLUTION NO. R-45-77

A RESOLUTION DESIGNATION FIRST
PRIORITY FOR LOCATION OF CONSTRUCTION
OF HOUSING FOR THE ELEDERLY AND REQUESTING
HUD APPROVAL OF SECTION 8 ALLOCATION FOR
SENIOR CITIZEN HOUSING IN EAST CENTRAL
NEIGHBORHOOD DEVELOPMENT PROGRAM AREA.

WHEREAS, heretofore by Resolution No. R-96-76 dated December 14, 1976, the Common Council of the City of Fort Wayne, Indiana did call upon the Department of Housing and Urban Development (Indianapolis Area Office) to approve; and,

WHEREAS, funds exist, under the U.S. Department of Housing and Urban Development's Community Development Act of 1974, Title II Funds for the construction of elderly housing projects in the City of Fort Wayne, Indiana; and,

WHEREAS, the City of Fort Wayne Indiana is required to designate prospective sites for senior citizen housing in its Housing Assistance Plan (HAP); and,

WHEREAS, the Common Council of the City of Fort Wayne, Indiana desires to designate that first priority be given to that portion of land included within NDP Block No. 1 and Maumee Terrace, bounded by Wayne Street on the north, Washington Boulevard on the south, Francis Street on the west and Comparet Street on the east, which is included within census tract No. 14 for the construction of housing for the elderly and that second priority be given to real estate located within census tract No. 14 for the construction

of housing for the elderly and that second priority be given to real estate located within census tract No. 11 for construction of housing for the elderly, all of said above funded by U.S. Department of Housing and Urban Development in the City of Fort Wayne, Indiana; and,

WHEREAS, the Common Council of the City of Fort Wayne, Indiana fully supports efforts to obtain additional housing developments of construction for the elderly citywide to be funded by the Department of Housing and Urban Development only after the fulfillment of above first priority designation.

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana hereby designated that first priority for the construction of Housing for the Elderly funded by the United States Department of Housing and Urban Development be located within that portion of land included within NDP Block No. 1 and Maumee Terrace bounded by Wayne Street on the north, Washington Boulevard on the south, Francis Street on the west and Comparet Street on the east, which is included within census tract No. 14 for the construction of Housing for the Elderly for the construction of 166 units of Elderly Housing and that second priority be given to real estate located within census tract No. 11 for construction of Housing for Elderly, all of said above funded by U.S. Department of Housing and Urban Development in the City of Fort Wayne, Indiana.

SECTION 2. BE IT FURTHER RESOLVED, That the City of Fort Wayne, Indiana will assist and cooperate with the development of said housing projects in other areas of need throughout the City after the fulfillment of above priority designation set forth in Section 1 hereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-45-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-77-08-20

SPECIAL ORDINANCE NO. S-178-77

AN ORDINANCE approving Change
Order No. 2 in connection with
Sewer Resolution No. 844-76.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Bercot, Inc. in connection with Sewer Resolution No. 844-76, Lakehurst Addition, in the amount of $12,527.60, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-178-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-22

SPECIAL ORDINANCE NO. S-179-77

AN ORDINANCE approving a contract
with JOHN DEHNER, INC. for emergency
repair of sewer on Guthrie West of
Broadway.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 25, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and John Dehner, Inc. to repair sewer on Guthrie West of Broadway for a cost of $6,600.46, all as more particularly set forth on City Utilities Purchase Order No. 9108, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-179-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-23

SPECIAL ORDINANCE NO. S-180-77

AN ORDINANCE approving a contract with Hersey Meter Products for blanket purchase of water meters.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. That the contract dated June 7, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hersey Meter Products for blanket purchase order from July 1, 1977 to December 31, 1977 for water meters, all as more particularly set forth on City Utilities Purchase Order No. B-9010, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-180-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong, Mayor

BILL NO. S-77-08-24

SPECIAL ORDINANCE NO. S-181-77

AN ORDINANCE approving a contract with
Allen County Tractor Sale, Inc. for
tractor and equipment for the Water
Pollution Control Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 25, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and ALLEN COUNTY TRACTOR SALES, INC. for:

2 Low C/G Tractor		$14,626.80
1 Tractor Mounted Rotary Type Mower	1,251.00	
1 Tractor Mounted Flail Type Mower	1,215.88	
1 Trailer Mounted Multipurpose Ind'l Sprayer		2,369.85
		$19,463.53

all as more particularly set forth on City Utilities Purchase Order No. 9106, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-181-77 on the 23rd day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-25

SPECIAL ORDINANCE NO. S-182-77

AN ORDINANCE approving a contract with
Rockwell International Meter for blanket
purchase of water meters.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated June 7, 1977, between the City of Fort Wayne, by and through its Mayor, and the Board of Public Works and ROCKWELL INTERNATIONAL METER for blanket purchase order from July 1, 1977 to December 31, 1977 for water meters, all as more particularly set forth on Purchase Order No. B-9009, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Moses, Nuckols

Date: 8-23-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-182-77 on the 23rd day of August, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1977, at the hour of 11:45 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of August, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-07-48 (AS AMENDED)

SPECIAL ORDINANCE NO. S-183-77

AN ORDINANCE fixing the tax levy for
the City of Fort Wayne for the year 1978

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of $3.905 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1978, the same to be divided as follows:

General Fund	$2.415
Park Department	.542
Bond & Interest Redemption Redevelopment	.026
Redevelopment General	.021
Fire Pension	.287
Police Pension	.289
Sanitary Officers Pension	.015
Fine Arts	.008
New Fire Pension	.004
Bond & Interest Redemption Street Bond '75	.107
New Police Pension	.009
Sewer Relief	.046
Street Lighting	.051
Redevelopment District Capital	.085
	$3.905

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Burns, Hinga, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Hunter, D. Schmidt
Absent: One
Nuckols

Date: 8-29-77

Charles W. WEsterman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-183-77 on the 29th day of August, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 30th day of August, 1977, at the hour of 12:15 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of September, 1977, at the hour of 8:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-26

SPECIAL ORDINANCE NO. S-184-77

AN ORDINANCE approving an expenditure
of $25,000.00 for the renovation of the
Martin Luther King Center.

WHEREAS, since the beginning of the Martin Luther King Center in 1968, there has been an attempt to meet the educational, recreational and social needs of peoples in the community by creating programs, activities, transportation and recreation around the basic needs and interests of the people we serve; and

WHEREAS, there is a need to renovate the Martin Luther King Center by installing a ramp to allow persons in wheel chairs to participate in the activities, installing new bathrooms, lowering the ceiling to save in the cost of heating, repair the roof, install insulation, install carpeting, paint and other miscellaneou items at a cost of approximately $25,000.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the renovation of the Martin Luther King Center for an approximate cost of $25,000.00 is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Hunter, Nuckols, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-184-77 on the 13th day of September, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-27

SPECIAL ORDINANCE NO. S-185-77

AN ORDINANCE approving a certain bid document for the blanket purchase of fuel from Lassus Fuel Oil Company.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 798 dated July 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Lassus Fuel Oil Company for:

Blanket purchase order of fuel from 9/1/77 thru 8/31/78,

for an approximately cost of $1,736.00, all as more particularly set forth in said bid document Ref. No. 798 and Purchase Order No. B4-01118, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor,

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-185-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

116

BILL NO. S-77-08-28

SPECIAL ORDINANCE NO. S-186-77

AN ORDINANCE approving a certain bid
document for purchase of fuel from
Gladieux Refinery, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 798 dated July 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Gladieux Refinery, Inc. for:

Blanket purchase order of fuel from 9/1/77 thru 8/31/78,

for a total cost of approximately $5,525.25, all as more particularly set forth in said bid document Ref. No. 798 and Purchase Order No. B4-01116, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof, and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-186-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-29

SPECIAL ORDINANCE NO. S-187-77

AN ORDINANCE approving a contract with
Gladieux Refinery, Inc. for blanket purchase
order from 9/1/77 thr31/78.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. #798 dated July 22, 1977, be and through its Mayor and the Board of Public Works, and Gladieux Refinery, Inc. for:

Blanket purchase order for fuel from 9/1/77 through 8/31/78,

for an estimated cost of $127,100.26, all as more particularly set forth in said bid document Ref. No. 798 and City Utilities Purchase Order B-9155, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-187-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-09-02

RESOLUTION NO. R-46-77

A RESOLUTION approving Fort Wayne Redevelopment Commission's Resolution No. 77-38 for the Civic Center Renewal Project.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION I. That Resolution No. 77-38, Declaratory Resolution - Civic Center Renewal Project, adopted by the Fort Wayne Redevelopment Commission on August 17, 1977, and approved by the City Plan Commission on August 22, 1977, all as more particularly set forth in said Resolution No. 77-38 on file in the Office of the Fort Wayne Redevelopment Commission and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION II. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: Two
Burns, Stier
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-46-77 on the 13th day of September, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-09-03

RESOLUTION NO. R-47-77

A RESOLUTION authorizing payment to
Hefner Chevrolet for the repair of
Board of Public Safety Vehicle.

WHEREAS, the Board of Public Safety's Park Department's vehicle, a 1976 Chevrolet, 4 door, sedan, License No. MO10220, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Hefner Chevrolet has submitted an estimate in the amount of $233.57 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $233.57 to Hefner Chevrolet for the repair of the 1976 Chevrolet, 4 door, sedan, License No. MO10220.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-47-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-09-04

RESOLUTION NO. R-48-77

A RESOLUTION authorizing payment to
A M P Products Corporation for repair
of miscellaneous parts used on Insurance
Accounts.

WHEREAS, there is a need to repair miscellaneous parts in the Traffic Engineering Department, (Signal Division), and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, A M P Products Corporation has submitted an estimate in the amount of $231.87 for the repair of said damaged parts.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $231.87 to A M P Products Corporation for the repair of the Traffic Engineering Department, (Signal Division), miscellaneous parts.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-48-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-09-05

RESOLUTION NO. R-49-77

A RESOLUTION authorizing payment to
Northway Chrysler Plymouth for repair
of Board of Public Safety Vehicle and
Allen County Motors for repair of Board
of Public Safety Vehicle.

WHEREAS, the Board of Public Safety's (police) vehicle, a 1975 Ford, 4 door, License No. 11110, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $72.00 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's (Parking Administration) vehicle, a cushman, License No. 21442 was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $393.00 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $72.00 to Northway Chrysler Plymouth for the repair of the 1975 Ford, 4 door, License No. 11110.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $72.00 to Northway Chrysler Plymouth for the repair of the 1975 Ford, 4 door, License No. 11110.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $393.00 to Allen County Motors for the repair of the cushman, License No. 21442.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Sier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-49-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-09-06

RESOLUTION NO. R-50-77

A RESOLUTION authorizing payment to
various for the repair of miscellaneous
parts for Traffic Engineering.

WHEREAS, the Traffic Engineering Department has various miscellaneous parts that are in need of repair, and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, the following vendors have submitted an estimate in the amount $1,100.09 for the repair of said parts.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $125.00 to Crescent Electric Supply Co., Quietus No. 14622.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $126.20 to Gammatronix, Inc., Quietus No. 14622.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $379.28 to Warren Radio Company, Quietus No. 14622.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $331.84 to Westinghouse Electric Supply Co., Quietus No. 14622 and 14092.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-50-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

Bill No. G-76-05-08

REPORT TO THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance providing for the grant of a franchise to operate a Cable Communications System in the City of Fort Wayne, Indiana, and providing for regulation of said system have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Be Withdrawn.

William T. Hinga - Chairman
James S. Stier - Vice Chairman
Vivian G. Schmidt
Paul M. Burns
Fredrick Hunter

Concurred in 9-13-77

Charles W. Westerman
City Clerk

BILL NO. Z-77-06-14 (as amended)

ZONING MAP ORDINANCE NO. Z-23-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. DD14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

> That part of Lot No. 24 in Liberty Gardens Addition to the City of Fort Wayne according to the plat thereof, recorded in plat record 8, page 61 of the Office of the Recorder of Allen County, Indiana, described as follows: Beginning at the NE corner of said Lot No. 24; thence Southerly along the East line thereof 170 feet to the Southeast corner of said Lot; then West on the South line of said Lot 73.5 feet; thence North and Easterly 167.3 feet to the point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by V.Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-23-77 on the 13 th day of September, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-76-10-27 (amended)

GENERAL ORDINANCE NO. G-32-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53744), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, towit:

A portion of Sandhill Drive A street in Earth Industrial Park, a platted subivision in the City of Fort Wayne. Starting at the eastern right-of-way of Earth Drive and extending to the western right-of-way of Kyle Road, located between Lots #7 of Earth Industrial Park Section I, and Lot #24 of Earth Industrial Park, Section III.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendationof the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-32-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-06-42

GENERAL ORDINANCE NO. G-33-77

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain subdivision and street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain subdivision and street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following subdivision and street, to-wit:

> Lots #4 thru #10 and all of Granstand Way, in Speedway Addition, Section 1, Plat Book 32, Page 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmit
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-33-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-07-31

GENERAL ORDINANCE NO. G-34-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, I.C. 18-7-5-46, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to-wit:

Part of the right-of-way of Decatur Road (formerly U.S. #27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot #40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot #40; thence N 90 - 00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot #40, a DISTANCE OF 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10 - 58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05 - 15' E for a length of 51.05 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot #40 as recorded at Document #71 - 13783 in the Office of the Recorder of Allen County, Indiana; thence S 90 - 00' E, on and along the Westerly projection of said North right-of-way line. being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot #40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40 - 39' - 30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-34-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong, Mayor

BILL NO. S-77-08-21

SPECIAL ORDINANCE NO. S-188-77

AN ORDINANCE approving the proposal
for professional engineering services
in connection with design of proposed
sanitary sewer in Papermill Bluffs
Subdivision, Section I.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the proposal of Turnbell-Green and Associates, Inc. for professional engineering services in connection with design of proposed sanitary sewer in Papermill Bluffs Subdivision, Section 1, as set out in the proposal dated June 27, 1977 and on file in the Office of the Board of Public Works, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-188-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-37

SPECIAL ORDINANCE NO. S-189-77

AN ORDINANCE approving Change Order
No. 1 in connection with Valley Hills
Estates, Sewer Resolution No. 288-76.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Earth Construction & Engineering, Inc. in connection with Sewer Resolution No. 288-76, Valley Hills Estates, in the amount of $1,265.40, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-189-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-38

SPECIAL ORDINANCE NO. S-190-77

AN ORDINANCE approving a contract
with Rieth-Riley Construction Co., Inc.
for renovation and repair of Street
Department parking lot.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the undated contract between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Rieth-Riley Construction Co., Inc., for:

Resolution No. 5763-1977: Renovation and
Repair of Street Department Parking Lot,

for a total cost of $58,495.25, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses
Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-190-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

130

BILL NO. S-77-08-39

SPECIAL ORDINANCE NO. S-191-77

AN ORDINANCE approving Change Order
No. 1 in connection with Monarch Park
Sewer Resolution No. 287-76.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Hipskind Asphalt Corporation in connection with Sewer Resolution No. 287-76, Monarch Park Drain Improvement, as set out in the specifications, is hereby in all things ratified, cnfirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by D. Schmidt,, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-191-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-40

SPECIAL ORDINANCE NO. S-192-77

AN ORDINANCE approving a contract with
John Dehner, Inc. for Water Main Lowering -
Old Trail Rd./Belle Vista Blvd.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 29, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and John Dehner, Inc. for:

> lowering and/or relaying 480 ± ft. of 16" water main on Old Trail Road from a point approximately 380 ± ft. south of the south right-of-way line of Belle Vista Blvd., northward 480 ± ft., and the construction of 345 ± ft. of six (6") inch water main on Belle Vista Blvd., from the Old Trail Road westward,

for a total cost of $22,000.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-192-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-41

SPECIAL ORDINANCE NO. S-193-77

AN ORDINANCE approving a contract
for construction of Getz Road - Colony Bay
Road connecting feeder main.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 1, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NOBIS CONSTRUCTION CO., INC., for:

2600 ± ft. of 12" water main on Getz Road
& Colony Bay Road from Maurane Drive to
Magnavox Way,

for a total cost of $54,385.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-193-77 on the 13th day of September, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-42

SPECIAL ORDINANCE NO. S-194-77

AN ORDINANCE approving a contract with NOBIS CONSTRUCTION CO., INC. for installation of sanitary sewer - Resolution No. 292-77 - Getz Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 20, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Nobis Construction Co., Inc., for construction of a sanitary sewer as follows:

Beginning at an existing sanitary sewer manhole located 15 ± lineal feet south of and 60 ± lineal feet east of the southeast corner of Lot 22 of Walnut Hills Terrace Addition, as recorded in Plat Book 16, Page 138; thence northwesterly 95 ± lineal feet to a proposed manhole located 28 ± lineal feet south of and 11 ± lineal feet west of the northeast corner of said Lot 22; thence north 2000 ± lineal feet, termin ating at a proposed manhole located 20 ± lineal feet south of and 11 ± lineal feet west of the northeast corner of Lot 2 of said Walnut Hills Terrace Addition.

Lateral #1

Beginning at an existing sanitary sewer manhole located 35 ± lineal feet south of and 65 ± lineal feet east of the northeast corner of Lot 8 of Pt. Covington Acres Addition, as recorded in Plat Book 18, Page 97 and 98; thence southwesterly 95 ± feet, terminating at a proposed manhole located 4 ± lineal feet east of and 1 ± lineal feet south of the southeast corner of said Lot #8 of Pt. Covington Acres Addition,

for a total cost of $69,940.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-194-77 on the 13th day of September, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-43

SPECIAL ORDINANCE NO. S-195-77

AN ORDINANCE approving a contract with Stockberger Machinery, Inc. for five air compressors for the Water Maintenance and Service Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 3, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Stockberger Machinery, Inc., for:

5	125 CFM Air Compressors, 1977 Sullair	$21,275.00,

all as more particularly set forth on City Utilities Purchase Order No. 9124, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-195-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-44

SPECIAL ORDINANCE NO. S-196-77

AN ORDINANCE approving a contract with
Clow Corporation for valves and gaskets
for the Water Maintenance & Service Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 8, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Clow Corporation for:

20 6" Tapping Valves, w/gaskets, glands & bolts M.J. O.R.	$2,930.20
4 12" x 6" Clow Tapping Sleeves M.J. w/gaskets, glands & bolts	1,079.52
12 6" Duo Solid Sleeves, M.J. w/gaskets, glands & bolts	840.00
	$4,849.72

all as more particularly set forth on City Utilities Purchase Order No. 9143, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-196-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-45

SPECIAL ORDINANCE NO. S-197-77

AN ORDINANCE approving a contract with
Northern Gravel Company for gravel and
sand for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Northern Gravel Company, for:

16 tons 2" x 1" gravel			$ 320.00
10 tons 1" x 5/8" gravel		200.00	
9 tons 5/8" x 3/8" gravel		180.00	
7 tons 3/8" x 3/16" gravel		140.00	
7 tons 3/16" x 10 mesh gravel	140.00		
4 partitions			100.00
88 tons graded sand with an effective size of 0.50 to 0.60 MM and a uniformity coefficient not more than 1.5	1,760.00		
			$2,840.00

all as more particularly set forth on City Utilities Purchase Order No. 9127, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-197-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-08-46

SPECIAL ORDINANCE NO. S-198-77

AN ORDINANCE approving a certain bid
document for blanket purchase of fuel
from Industrial Fuel Oils, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. #798 dated July 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Industrial Fuel Oils, Inc. for:

Blanket purchase order of fuel from 9/1/77 thru 8/31/78,

for a total approximate cost of $40,174.00, all as more particularly set forth in said bid document Ref. #798 and City Utilities Purchase Order B-9156, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D, Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-198-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of September, 1977, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-75-10-13

ZONING MAP ORDINANCE NO. Z-22-77

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. F-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lots No. 32, 33 and 34, except RightofWay Grant for State Road No. 324 of the Delta Heights Addition to the City of Fort Wayne, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter
Absent: One
Moses

Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-22-77 on the 13th day of September, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of September, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-09-22

RESOLUTION NO. R-51-77

A RESOLUTION authorizing payment
for repair of Board of Safety's Vehicles

WHEREAS, the Board of Public Safety's vehicle, Unit No. 40, a 1975 Ford, 4 door, was damaged in an accident, and insurance monies were received and receipted in the Controller's Office; and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $163.30 for the repair of said vehicle; and

WHEREAS, the Board of Public Safety's vehicle, a 1977 Ford Van bearing license plate MO27532, was damaged in an accident, and insurance monies were received and receipted in the Controller's Office; and

WHEREAS, Kenny Boger Body Shop has submitted an estimate in the amount of $171.00 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $1,051.56 to Allen County Motors for the repair of Unit No. 40, a 1975 Ford.

SECTION 2. That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $163.30 to Northway Chrysler Plymouth for the repair of Unit No. 118, a 1974 Ford, bearing license plate 71A6959.

SECTION 3. That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $171.00 to Kenny Boger Body Shop for the repair of a 1977 Ford Van bearing license plate MO27532.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-51-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-07

SPECIAL ORDINANCE NO. S-199-77

AN ORDINANCE authorizing the Board of Aviation Commissioners to extend the lease with Airport Restaurants, Inc., an additional fifteen years.

WHEREAS, the City of Fort Wayne, by and through its Board of Aviation Commissioners, entered into a Lease Agreement on August 8, 1961, with Airport Restaurants, Inc., with reference to a parcel of land which is a part of Fort Wayne Municipal Airport (Baer Field), which Lease, as amended, expires February 28, 2014; and

WHEREAS, said Board of Aviation Commissioners is desirous of reducing the land area leased by approximately 1.9 acres so that said Board may have such property for other uses including, but not limited to roadway and parking at the airport; and

WHEREAS, the Airport Restaurants, Inc. is desirous of making certain additions to the room capacity of its motel and other improvements in said premises but requires an additional term of years to accommodate prospective mortgagees for long term financing; and

WHEREAS, it is in the best interest of the City of Fort Wayne that the Board of Aviation Commissioners be authorized to enter into an agreement with Airport Restaurants, Inc., be extended for an additional fifteen (15) years in consideration of Airport Restaurants, Inc. agreement to reduce land area leased and to add room capacity to its motel; and

WHEREAS, the character, experience and financial responsibility of Airport Restaurants, Inc. has been determined satisfactorily by the Board of Aviation Commissioners and the erection of the additional motel units shall both facilitate and be consistent with the operation, use and purpose of the airport on land belonging to the airport.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Board of Aviation Commissioners be and hereby is authorized to enter into an agreement to extend the term of its present Lease Agreement with Airport Restaurants, Inc., as amended, an additional fifteen (15) years to February 28, 2029, on the condition that Airport Restaurants, Inc., erect forty (40) additional motel units on its leased premises.

SECTION 2. That the Board of Aviation Commissioners, be authorized to execute such agreement or agreements as are necessary to effectuate such extension and the Mayor and City Clerk be and hereby are authorized to approve such agreement.

SECTION 3. That this Ordinance be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Hunter
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-199-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-06-16

GENERAL ORDINANCE NO. G-35-77

AN ORDINANCE amending General Ordinance No. G97 by authorizing the vacation of a certain part of a subdivision and streets

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain part of a subdivision and streets having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Act of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following, to-wit:

> Lots #137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148 and 149 all in Lake Shores, Section III, an Addition to the City of Fort Wayne, Indiana, together with that portion of Monterey Drive lying North of the Westerly projection of the North right-of-way line of Lakewood Drive, together with Shoreview Drive, together with that portion of Hiltonia Drive lying North of the Easterly projection of the South line of said Lot #139, all according to the recorded plat thereof, re-recorded at Plat Book 26, page 2, in the Office of the Recorder of Allen County, Indiana

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-35-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-08-36

GENERAL ORDINANCE NO. G-36-77

AN ORDINANCE amending certain Sections
of Chapter 17 of The Code of the City of
Fort Wayne, Indiana of 1974.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 17, Section 17-39 "Increasing State Speed Limits in Certain Zones" be, and the same hereby is, amended by adding thereto the following:

SPEED LIMIT 35 MPH

STREET	FROM	TO
Spy Run Extended	Clinton St.	Parnell Ave.

SECTION 2. That Chapter 17, Section 17-49 "Intersections Where Stop Required" be, and the same hereby is, amended by adding thereto the following:

STOP INTERSECTION

Strawberry Dr.	stop	for Springbrook Rd.
Michigan Ave.	stop	for Thompson Ave.
Wilt St.	stop	for VanBuren St.
Wilt St.	stop	for Jackson St.
Rockhill St.	stop	for Wilt St.
Lansing Ave.	stop	for Leesburg Rd.

SECTION 3. That Chapter 17, Section 17-90 "Parking Prohibited at All Times on Certain Streets" be, and the same hereby is, amended by adding thereto the following:

STREET	SIDE	FROM	TO
Calhoun St.	both	Belmont St.	Tillman Rd.
Sherman Blvd.	both	Mildred Ave.	Entrance of Franke Park (Park Drive)
Industrial Rd.	both	Coliseum Blvd.	Ley Rd.
Fairfield Ave.	west	Dewald St.	Creighton Ave.
Randolph St.	north	First alley W/Spy Run Ave. (160')	Western Terminus
VAnce Ave.	south	Kingsley Dr.	Reed Rd.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-36-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-09-09

GENERAL ORDINANCE NO. G-37-77

AN ORDINANCE amending certain Sections
of the Code of the City of Fort Wayne,
Indiana of 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following sections of The Code of the City of Fort Wayne, Indiana of 1974 be and the same are hereby amended to read as follows:

Section 1-8 Whenever in any chapter or section of this Code, the doing of any act, or the omission to do any act or duty, is declared to be a breach thereof, and there shall be no fine or penalty declared for such, any person who shall be convicted of any breach shall be adjudged to pay a fine of not more than One Thousand Dollars ($1,000.00). Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

Section 5-28 (c) Any person violating any of the provisions of this section shall, upon conviction, be fined in any sum not less than Twentyfive Dollars ($25.00) nor more than Two Hundred Dollars ($200.00).

Section 5-29 (c) Any person violating any of the provisions of this section shall, upon conviction, be fined in any sum not less than Twentyfive Dollars ($25.00) nor more than Two Hundred Dollars ($200.00).

Section 12-10 (a) Any person who shall violate any of the Fire Prevention Code hereby adopted or fail to comply therewith, who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans sumitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Public Safety or by a Court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively be guilty of a misdemeanor, punishable by a fine of no more than Three Hundred Dollars ($300.00). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each five days that prohibited conditions are maintained, shall constitute a separate offense.

Section 14-7 Any person violating any of the provisions of sections 145 and 146, upon conviction thereof, shall be fined for each offense, in any sum not less than Twentyfive Dollars ($25.00) nor more than One Hundred Dollars ($100.00), and each day's violation shall constitute a separate offense.

Section 17-6 Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than One Hundred Dollars ($100.00).

Section 17-113 Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding Three Hundred Dollars ($300.00). Each day such violation is committed or premitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 18-14 Whoever utters an approbrious of vile epithet involving moral turpitude or profaning God, Jesus Christ, or the Holy Ghost, in the presence of anyone, or whoever uses vile or indecent language, shall be deemed guilty of disorderly conduct, and, upon conviction, shall be fined in any sum not exceeding One Hundred Dollars ($100.00).

Section 18-19 (b) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding Three Hundred Dollars ($300.00). Each day such violation is committed or permitted to continued shall constitute a separate offense and shall be punishable as such hereunder.

Section 18-32 (c) Specific offenses. Whoever accosts or approaches any person of the opposite sex, unknown to such person, and by word or sign or gesture, attempts to speak to or becomes acquainted with the person against his will, on a public street or other public place in the city, except in the transaction of legitimate business, or whoever, on a public street or other public place in the city, attempts to entice or procure any person to commit or become involved in an unlawful or indecent sexual act or relationship, or whoever accosts or approaches any person on a public street or other public place in the city, and by word, sign or gesture, suggests, invites or offers, the doing of any indecent, immoral or unnatural sexual act, or whoever accosts or approaches a person on a public street or other public place, and by word, sign or gesture, suggests or invites, agrees or offers to procure, direct to or furnish such person with the means or opportunity of engaging in an immoral, indecent or unlawful sexual act or relationship shall be deemed to have committed the crime of offending persons in public places and upon conviction, shall be fined in any sum not exceeding One Hundred Dollars ($100,00). Upon a second conviction, such persons shall be punished by a fine of not less than Fifty Dollars ($50.00) nor more than Two Hundred Dollars ($200.00). Upon a third or subsequent conviction, such persons shall be punished by a fine of not less than One Hundred Dollars ($100.00) and no more than Three Hundred Dollars ($300.00).

Section 18-48 (g) Any person who violates this section or fails to obey any order of the CityCounty Board of Health issued pursuant to this section shall be subject to a fine of not more than Two Hundred Fifty Dollars ($250.00).

SECTION 2. This Ordinance shall remain in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-37-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-10

SPECIAL ORDINANCE NO. S-200-77

AN ORDINANCE approving Change Order No.
P-3 in connection with Project No. 7551-B

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. P3 to Mollering Construction Company in connection with Project No. 7551B, (For removal and replacement of curb and sidewalk), in the amount of $227.00 as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-200-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-11

SPECIAL ORDINANCE NO. S-201-77

AN ORDINANCE approving Change Order No.
11 in connection with Terminal Ponds

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. ii to John Dehner, Inc., and SpearsDehner, Inc., Joint Bidders in connection with Terminal Ponds:

Furnish all labor and materials necessary to install an Asbestos Bonded Corrugated Steel Band with "O" rings and pressure grout at each pipe joint in the new 58"x 91" R.C.P. pipe extending from the existing Chlorine Contact tank to the new Diversion Structure as shown on Drawing CL-3, Sheet #52 of 64 of the contractural drawings. Bands shall be as shown on Attachment "A".

52 58" x 91" Steel bands

in the amount of $34,305.00, to be taken from Federal Funds, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-12

SPECIAL ORDINANCE NO. S-202-77

AN ORDINANCE approving blanket purchase order Bulk Rock Salt for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 25, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Morton Salt Company, No. B401209, Civil City Purchase Order, for a blanket order for Type #1 Bulk Rock Salt (CoarseCrushed Sodium Chloride), for a total cost of $15.98 per Ton to be taken from the Motor Vehicle Highway Funds, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-202-77 on the 27th day of September, 1977

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-13

SPECIAL ORDINANCE NO. S-203-77

AN ORDINANCE approving a contract with
Schmidt Electric, Inc. for Installation
of street lighting with underground wiring
in Springwood Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 24, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Schmidt Electric, Inc., for:

Installation of street lighting with under
ground wiring in Springwood Addition,

for a total cost of $38,761.70,which will be paid under Barrett Law, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force ane effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-203-77 on the 27th day of September, 1977

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-14

SPECIAL ORDINANCE NO. S-204-77

AN ORDINANCE approving a contract with
T. & F. Construction for installation of
street lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 17, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and F. & F. Construction for:

Installation of street lighting with under
ground wiring in Northcrest Woods Addition.

for a total cost of $15,481.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: NOne
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-204-77 on the 27th day of September, 1977

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-15

SPECIAL ORDINANCE NO. S-205-77

AN ORDINANCE approving Change Order No.
1 in conection with Colonial Heritage Area

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Change Order No. 1 to T & F Construction, Inc. in connection with Colonial Heritage Area in the amount of $257.55, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-205-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-16

SPECIAL ORDINANCE NO. S-206-77

AN ORDINANCE approving a contract with
Rems Corporation for materials for the Three
Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Rems Corporation, for:

Rewinding for: 500 H.P. 1200 R.PM.,
3 phase 60 Hz, 2300 Volts, Form BL 1.0
P.F. Frame 7567, Type TS General Electric
Synchronous Motor, Stator only

Serial No. 5280606.

Total: $4,350.00

all as more particularly set forth on City Utilities Purchase Order No. 9135, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Buns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-206-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-17

SPECIAL ORDINANCE NO. S-S-207-77

AN ORDINANCE approving a contract with
Bruning Division A.M. Corp. for materials
for the Technical Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated August 10, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Bruning Division A.M. Corp., for:

1 Cat. #80876 Bruning Model 876 Automatic 3
Roll Feed 42" Engineering Whiteprinter
with tradein of 1969 Bruning "870" $22,625.00

all as more particularly set forth on City Utilities Purchase Order No. 9152, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinanace shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 9-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-207-77 on the 27th day of September, 1977

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of September, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-01

SPECIAL ORDINANCE NO. S-LOST

AN ORDINANCE approving an Agreement
with Murphy Engineering, Inc., for an
Analysis of Planning and Management of
Transport Services in Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the agreement dated September 15, 1975, between the City of Fort Wayne, by and through its Mayor and the former Board of Public Works and Murphy Engineering, Inc., for:

An Analysis of Planning and Management of
Transport Services in Fort Wayne,

for a total cost of $12,950.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 10-11-77

Charles W. Westerman
City Clerk

BILL NO. S-77-09-21

SPECIAL ORDINANCE NO. S-208-77

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF $1,000,000 PRINCIPAL AMOUNT OF 5.80% INDUSTRIAL REVENUE BONDS (SCOTT PAPER COMPANY PROJECT), SERIES A OF 1977 OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING ECONOMIC DEVELOPMENT FACILITIES FOR SALE TO SCOTT PAPER COMPANY, APPROVING TRUST INDENTURE: APPROVING CONSTRUCTION, FINANCING AND INSTALLMENT SALE AGREEMENT WITH SCOTT PAPER COMPANY: APPROVING BOND PURCHASE AGREEMENT AND AWARDING BONDS: APPOINTING TRUSTEE, PAYING AGENT AND REGISTRAR: AUTHORIZING PROPER OFFICERS TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE: AND AMENDING ORDINANCE NO. S-147-77.

WHEREAS, the Fort Wayne Economic Development Commission has developed and filed with the City Plan Commission and the Fort Wayne Community Schools a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be Constructed for Scott Paper Company" and the City Clerk has presented the same to the Common Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted resolutions on June 28, 1977 and July 11, 1977 approving the financing of said economic development facilities as described in said Report to be financed by the issuance and sale of revenue bonds by the City of Fort Wayne and the sale or lease of said facilities to Scott Paper Company (the "Company"), and finding that the proposed financing complies with the purposes and provisions of Indiana Code 1971, tit. 18, art. 6, ch. 4.5, as amended; and

WHEREAS, by resolution dated July 12, 1977, and Ordinance No. S-147-77 this Common Council approved financing the economic development facilities (the "Project") proposed by the Company, and approved the above-mentioned Report of the Commission; and

WHEREAS, Headford, Houston & Company, Inc. (the "Purchaser") has submitted to the City a bond purchase contract dated this date (the "Bond Purchase Agreement") with respect to the purchase by it of $1,000,000 principal amount of the City's revenue bonds to finance the Project;

WHEREAS, there have been prepared and submitted to the City forms of:

(a) a Trust Indenture under which said revenue bonds will be issued and by which they will be secured; and

(b) a Construction, Financing and Installment Sale Agreement providing for the acquisition, construction and installation of the Project and for the sale of the Project by the City to the Company; and

(c) the Bond Purchase Agreement; and

(d) a Descriptive Circular describing the Bond and the Company which was utilized by the Purchaser in connection with the offer of the Bond to the public; and

WHEREAS, the forms and terms of the above documents submitted to this meeting have been approved by the Commission by resolution adopted September , 1977; and

WHEREAS, said Commission Resolutions have been presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and have been so presented.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The approval and acceptance of the Report of the Commission together with the comments thereon by the City Plan Commission and the Fort Wayne Community Schools by Ordinance No. S-147-77 and the approval of the Project reported on in the above-mentioned Report of the Fort Wayne Economic Development Commission be and are hereby ratified and approved.

SECTION 2. The Construction, Financing and Installment Sale Agreement hereinafter authorized provides for payment by the Company to the City of amounts sufficient to pay the principal of and interest

on the Bonds hereinafter authorized as the same shall become due and payable.

(b) The acquisition, construction and installation of the Project and the financing of the costs thereof by the issuance of revenue bonds of the City under the Act will be of benefit to the health and welfare of the City and will comply with and will effectuate the public purposes of the Act.

SECTION 3. To finance in part the cost of acquisition, construction and installation of the Project, the issuance of $1,000,00 aggregate principal amount of 5.80% Industrial Revenue Bonds (Scott Paper Company Project), Series A of 1977 (the "Bonds") by the City under the Act is hereby authorized, subject ot the provisions of this ordinance and the Trust Indenture hereinafter authorized. The Bonds shall be dated October 1, 1977, shall be issued as coupon Bonds in the denomination of $5,000 each, numbered A-1 to A-200, inclusive, and shall be registerable as to principal only. The Bonds shall be payable as to principal, interest and premium, if any, at the principal, interest and premium, if any, at the principal corporate trust office of the Fort Wayne National Bank, Fort Wayne, Indiana, shall bear interest from their date at the rate of 5.80% per annum, payable semiannually on the first days of April and October of each year, commencing April 1, 1978, and shall mature, subject to prior redemption as provided in the Trust Indenture hereinafter authorized, on October 1, 2005.

The forms and terms of the Bonds and coupons shall be as set forth in the Trust Indenture hereinafter authorized.

SECTION 4. The Bonds shall be secured by the pledge effected by the Trust Indenture hereinafter authorized. The Bonds shall not constitute a general obligation of the City or a debt or liability of the State of Indiana or any municipality therein or any political subdivision thereof or a pledge of the faith and credit of the City, the State of Indiana or of any such municipality or political subdivision nor shall they be payable in any manner from funds raised by taxation, but shall be special obligations of the City payable solely from the Receipts and Revenues of the City from the Facilities (as defined in said Trust Indenture) and other moneys pledged under said Trust Indenture. The Bonds shall not directly or indirectly or contingently obligate the City, said State or any municipality therein, or any political subdivision thereof, to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

SECTION 5. The form of Trust Indenture between the City and the Fort Wayne National Bank, as Trustee (the "Trustee") dated as of October 1, 1977 (the "Trust Indenture"), is hereby approved in substantially the form submitted to this meeting, a copy of which shall be filed with the minutes. The Mayor is hereby authorized and directed to execute and deliver the Trust Indenture with such changes, insertions and omissions as may be approved by the Mayor, said execution being conclusive evidence of such approval; and the City Clerk is hereby authorized and directed to affix the corporate seal of the City to the Trust Indenture and to attest the same.

SECTION 6. The form of Construction, Financing and Installment Sale Agreement between the City and the Company, dated as of October 1, 1977 (the "Installment Sale Agreement"), is hereby approved in substantially the form submitted to this meeting, a copy of which shall be filed with the minutes. The Mayor is hereby authorized and directed to execute and deliver the Installment Sale Agreement with such changes, insertions and omissions as may be approved by the Mayor, said execution being conclusive evidence of such approval; and the City Clerk is hereby authorized and directed to affix the corporate seal of the City to the Installment Sale Agreement and to attest the same.

SECTION 7. The Bond Purchase Agreement between the City and the Purchaser is hereby approved in substantially the form submitted to this meeting, a copy of which shall be filed with the minutes. The Mayor is hereby authorized and directed to execute and deliver the Bond Purchase Agreement with such changes, insertions and omissions as may be approved by the Mayor, said execution being conclusive evidence of such approval.

The Bonds are hereby sold to the Purchaser at a purchase price of 99.043% of the principal amount thereof and accrued interest on the Bonds from October 1, 1977 to the date of delivery thereof and payment therefor, on the terms and conditions set forth in the Bond Purchase Agreement.

SECTION 8. The City hereby approves the contents of the Descriptive Circular insofar as it describes the Bond and the City ratifies the use thereof by the Purchaser.

SECTION 9. The Bonds shall be executed in the manner provided in the Trust Indenture and shall be delivered to the Trustee for proper authentication and delivery of the Purchaser upon instructions to that effect. The signatures of City officers may be by facsimile.

SECTION 10. The Fort Wayne National Bank, having its principal corporate trust office in Fort Wayne, Indiana, is hereby designated Trustee, Paying Agent and Registrar for the Bonds under the Trust Indenture.

SECTION 11. The Mayor, President of the Common Council, Treasurer and City Clerk, and any other proper officers of the City, are hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all documents and instruments

and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this ordinance.

SECTION 12. Ordinance No. S-147-77 to the extent it is inconsistent herewith is hereby amended so as to conform to the provisions of this Ordinance which shall supersede said Ordinance No. S-147-77.

SECTION 13. The provisions of this Ordinance and the Trust Indenture securing the Bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Bonds and, after the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of the Bonds or the interest thereon remain unpaid.

SECTION 14. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-208-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-05

RESOLUTION NO. R-52-77

A RESOLUTION authorizing an appeal from
the budget and tax rates and levies
fixed by the Allen County Tax Adjustment Board.

WHEREAS, the Allen County Tax Adjustment Board has reduced the budget of the City of Fort Wayne, Indiana in a manner contrary to the laws of the State of Indiana and in such a way as to render it impossible to carry out the governmental functions and responsibilities committed to it by law.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the appropriate officers of said City are authorized and directed to take all steps necessary to present an appeal from the budget and tax rates and levies fixed by said Allen County Tax Adjustment Board to the Indiana State Board of Tax Commissioners with a view towards reinstatement of the tax rates and levies not exceeding the 1978 limit.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-52-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-06

RESOLUTION NO. R-53-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Street Department.

WHEREAS, the Street Department Garage is in need of repairs; and

WHEREAS, there are sufficient funds in the Repair Equipment account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $25,000.00 is hereby transferred from Account No. 28-880-430, Repair Parts, to Account No. 28-880-430, Repair Parts, to Account No. 28-880-252, Repair Equipment, in the 1977 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resol;ution No. R-53-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-07

RESOLUTION NO. R-54-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Humane Commission, Purchasing Department and Metro Human Relations Commission.

WHEREAS, the Humane Commission is in need of additional monies within its Travel, Office Equipment and Medical Supplies Accounts for the remainder of 1977; and

WHEREAS, there are sufficient funds in the Salaries Regular account for said expense; and

WHEREAS, the Purchasing Department is in need of additional monies within its Stationery & Printing Account for the remainder of 1977; and

WHEREAS, there are sufficient funds in the Salaries Regular account for said expense; and

WHEREAS, the Metro Human Relations Commission is in need of additional monies within its Telephone & Telegraph and Official Records Accounts for the remainder of 1977; and

WHEREAS, There are sufficient funds in the Salaries Regular account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $500.00 is hereby transferred from Account No. 10-810-111, Salaries Regular to Account No. 10-810-213, Traveling Expenses, in the 1977 Budget of the Humane Commission.

That the sum of $400.00 is hereby transferred from Account No. 10-810-111, Salaries Regular, To Account No. 10-810-725, Office Equipment, in the 1977 Budget of the Humane Commission.

That the sum of $600.00 is hereby transferred from Account No. 10-810-111, Salaries Regular, to Account No. 10-810-332, Medical Supplies, in the 1977 Budget of the Humane Commission.

That the sum of $500.00 is hereby transferred from Account No. 10-630-111, Salaries Regular, to Account No. 10-630-362, Stationery & Printing, in the 1977 Budget of the Purchasing Department.

That the sum of $750.00 is hereby transferred from Account No. 10-640-111, Salaries Regular, to Account No. 10-640-214, Telephone & Telegraph, in the 1977 Budget of the Metro Human Relations Commission.

That the sum of $500.00 is hereby transferred from Account No. 10-640-111, Salaries Regular, to Account No. 10-640-361, Official Records, in the 1977 Budget of the Metro Human Relations Commission.

William G. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-54-77 on the 11th day of October, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-18

RESOLUTION NO. R-55-77

A RESOLUTION ratifying the action of
the Fort Wayne Redevelopment Commission
and approving an agreement for the construction
and use of an off-street parking facility

WHEREAS, the Fort Wayne Redevelopment Commission adopted the Concept Plan for the Downtown Revitalization Program and Action Plan by Resolution No. 7640 on November 8, 1976.

WHEREAS, the Common Council of the City of Fort Wayne approved said Concept Plan by Resolution No. 9776 on December 14, 1976.

WHEREAS, the Common Council requested the Redevelopment Commission to proceed with further development of the projects in the Concept Plan and return to Council with reports on the status of projects.

WHEREAS, the Common Council of the City of Fort Wayne approved the Civic Center Redevelopment Project Plan for downtown Fort Wayne, which included provision for off-street parking by Resolution No. 4677 on September, 13, 1977.

WHEREAS, the Redevelopment Commission in the furtherance of and in conformity with said project plans to provide adequate off-street parking to facilitate the redevelopment and revitalization of downtown Fort Wayne, desires to report and presents to Common Council for review, a proposed agreement for the construction and use of an off-street parking facility.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the action of the Redevelopment Commission in proceeding with the development of an off-street parking facility for downtown Fort Wayne is ratified and approved.

2. That the proposed agreetment for the construction of and use of the off-street parking facility has been reviewed and is approved.

3. That the Redevelpment Commission is requested by the Common Council to proceed with further development of the projects described in the said plans and return from time to time with reports on the status and progress of projects.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-55-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-10

ZONING MAP ORDINANCE NO. Z-24-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map. No. D-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the area described as follows is hereby designated a B 3 B District under the terms of Cpater 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of hte City of Fort Wayne Zoning Map No. D-3, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 13, 14 and 15 of White's First Addition to
the City of Fort Wayne, Allen County, Indiana,
according to the recorded plat, thereof,

and

Lots 16 and 17 of White's First Addition to the City
of Fort Wayne, Allen County, Indiana, according
to the recorded plat thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-24-77 on the 11th day of October, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-13

ZONING MAP ORDINANCE NO. Z- 25-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. A19

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A19, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the East Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Commencing at the southeast corner of the East Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence West along the South line of the East Half of the SE 1/4 of Sec. 14-31-12 a distance of 590.0 feet; thence North with a deflection angle to the right of 89 degr. 53 min. a distance of 348.48 feet to the northeast corner of property owned by Cork 'n Cleaver, said point being the true point of beginning; thence West and parallel to the South line of the E 1/2 of the SE 1/4 of Sec. 14-31-12 and along the North line of Cork 'n Cleaver a distance of 125.0 feet to the Northwest corner of Cork 'n Cleaver; thence South along the West line of Cork 'n Cleaver a distance of 58.48 feet; thence West and parallel to the South line of the E 1/2 of the SE 1/4 of Sec. 14-31-12 a distance of 150.9 feet to the centerline of the Sumner Drain; thence North with a deflection angle to the right of 84 degr. 55 min. 20 sec. along the centerline of the Sumner Drain a distance of 263.5 feet; thence Northwesterly with a deflection angle to the left of 49 degr. 52 min. along the centerline of the Sumner Drain a distance of 102.57 feet; thence North with a deflection angle to the right of 54 degr. 49 min. 20 sec. a distance of 529.42 feet to a point on the south right of way of Interstate 69; thence northeasterly on a curve to the right having a radius of 651.25 feet along said south right of way a distance of 236.4 feet; thence south and parallel to the east line of the E 1/2 of the SE 1/4 of Sec. 14-31-12 a distance of 373.0 feet; thence west with a deflection angle to the right of 90 degr. 00 min. a distance of 125.0 feet; thence South with a deflection angle to the left of 90 degr. 00 min. a distance of 261.0 feet; thence east with a deflection angle to the left of 90 degr. 00 min. a distance of 275 feet; thence south with a deflection angle to the right of 90 degr. 00 min. a distance of 187.32 feet to the point of beginning, containing 3.96 acres.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico

Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-25-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-14

ZONING MAP ORDINANCE NO. Z-26-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. C10 & D10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C10 and D10, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

PARCEL I

Tract 3A, the East 250' of the North 84' of the South 1185.8' in the Southeast 1/4 of the Southeast 1/4, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84' on the West side of Anthony Boulevard by a depth of 325' and more commonly known as 5410 S. Anthony Blvd., Ft. Wayne, IN.

PARCEL II

Tract 4A, the East .57 acres of the North 84' of the South 1101.8' in the East 1/2 of the Southeast 1/4, Section 24, Township 30 North, Range 12 East, Allen County, IN, fronting 84' on the west side of Anthony Boulevard by a depth of 300' and more commonly known as 5414 South Anthony Blvd., Ft. Wayne, IN.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-26-77 on the 11th day of October, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-16 (WITHOUT ATTACHED COVENANTS)

ZONING MAP ORDINANCE NO. Z-27-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. CC13.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northeast Quarter of the Northwest Quarter of Section 27, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northeast corner of said Northwest Quarter; thence S 89° - 31' W (Indiana State Highway Commission bearing and is used as the basis for the bearings in this description, on and along the North line of said Northwest Quarter, 514.47 feet to the point of intersection of said North line with the Southerly projection of said centerline, 105.0 feet to a point on the Southerly right-of-way line of U.S. Highway #30 as it presently exists; thence S 89 °- 31' W, on an along said Southerly right-of-way line, being a line situated 105.0 feet (measured at right angles) South of and parallel to said North line, a distance of 25.0 feet; thence S 00 °- 29' E and parallel to said Southerly projection of Executive Boulevard, a distance of 50.0 feet to the true point of beginning; thence continuing S 00° - 29' E and parallel to said Southerly projection, a distance of 600.0 feet; thence S 89 °-31' W and parallel to said North line, a distance of 365.0 feet; thence N 00 °-29'W, and parallel to said Southerly projection,

a distance of 350.0 feet; thence N89-31'and parallel to said North line, a distance of 200.0 feet; thence N 00 - 29' W and parallel to said Southerly projection, a distance of 248.37 feet to a point situated 50.0 feet South of the Southerly right-of-way line of said U.S. Highway #30; thence N 88° 37' - 42" E and parallel to said Southerly right-of-way line, 105.21 feet; thence N 89 - 31' E continuing parallel to said Southerly right-of-way line, 59.8 feet to the true point of beginning, containg 3.700 acres of land, together with an easement for ingress and egress over the 50 foot-wide strip which lies between the Northerly line of the above described parcel and the Southerly line of said U.S. Highway #30 and together with an easement, 50 foot in width, for ingress and egress which lies East of and adjacent to the East line of the above described parcel and extends from the South line of said parcel to the Southerly right-of-way line of said U.S. Highway #30.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-27-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-17

ZONING MAP ORDINANCE NO. Z-28-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map. No. FF1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R 3 District under the terms of Chapter 36, Municipal Code of the City ofFort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. FF1, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

West .72 acre of Lot 18 Edsalls Subdivision and
Lagro Reserve South of Huntington Road.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-28-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-33

ZONING MAP ORDINANCE NO. Z-29-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. BB-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Bill No. Z-77-03-17 passed by the Common Council on March 22, 1977, is hereby repealed.

SECTION 2. That the area described as follows is hereby designated an M 2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB-3, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

East 30 feet of Lot 14 in Hattendorf's Addition to
the City of Fort Wayne, according to the plat
thereof, recorded in Deed Record 104, page 597,
in the Office of the Recorder of Allen County, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

BILL NO. Z-77-08-30

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. C-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Nos. 16 and 17 Gardendale Addition, located on the north side of Seddlemeyer Avenue and approximately 100 feet east of Old Decatur Road.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine:
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 10-11-77

Charles W. Westerman
City Clerk

BILL NO. G-77-09-08

GENERAL ORDINANCE NO. G-38-77

AN ORDINANCE amending certain Sections
of the Code of the City of Fort Wayne, Indiana
of 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following sections of The Code of the City of Fort Wayne, Indiana of 1974 be and the same are hereby amended to read as follows:

Section 7-136 Defined. The term "transient merchant" within the meaning of this division, shall mean any person engaging in buying or selling, at retail or wholesale, goods, wares, coins, precious metals or merchandise in the city, or any and all persons, both principals and agents, who engage or conduct any business in the city, either in one locality or in traveling from place to place, for the purpose of buying or selling goods, wares, coins, precious metals and merchandise for a period of one hundred twenty consecutive days, or less, and who for the purpose of carring on such business, shall have use of or occupy any building, vehicle, railway car, booth, store, shop, vacant lot, or parking lot, tent, room in a hotel, rooming house or boarding house, structure or other place for the buying exhibition or sale of such merchandise. The term "transient merchant" shall not be construed to apply to any person buying or selling goods, wares, coins, precious metals, or merchandise of any description raised, produced or manufactured by the individual offering the same for sale as hereinafter provided, nor to persons handling vegetable, fruits or perishable farm products by an established merchant, refreshment stands, or having booths on or adjacent to the property owned or occupied by them, nor to any stand on any fair grounds, or to any peddlers or marketeers or to the bona fide sale of goods, wares, coins, precious metals and merchandise by sample or for future delivery by commercial travelers, jobbers or selling agents, or to sheriffs, constables or other public officers selling goods wares coins, precious metals or merchandise according to law, nor to the temporary sale of goods, coins, precious metals, wares or merchandise where the proceeds of such sale are to be used exclusively

for religious, charitable and benevolent purposes.

Section 7137. Persons presumed to be transient merchants. Every person engaging in a buying or a retail or wholesale sale of goods, wares, coins, precious metals or merchandise in the city in locations and places described in section 7136 shall be presumed to be a transient merchant, and his place of business shall be presumed to be a temporary store or place of business. This presumption, however, may be overcome by furnishing proof satisfactory to the controller of the city that such person is not a transient merchant within the meaning of this division.

SECTION 2. This Ordinance shall remain in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. G-38-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-25

SPECIAL ORDINANCE NO. S-209-77

AN ORDINANCE approving a contract
with Graves Trucking Company for
emergency snow removal equipment for
the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Graves Trucking Company for:

Blanket Purchase Order for Emergency Snow Removal Equipment as required per tab sheet attached to purchase order,

all as more particularly set forth in Purchase Order 401296, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-209-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-26

SPECIAL ORDINANCE NO. S- 210-77

AN ORDINANCE approving a contract
with T - G Excavating, Inc. for
construction of E. State-Maysville-Long
Road Water Main Extension - Sec. II,
Contract No. 77-XP-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and T G Excavating, Inc. for:

> Construction of 1350 ± ft. of 16" and 1000 ± of 12" water main on Maysville Road from Goeglien Road to Long Road, and on Long Road from Maysville Road to Newfield Drive,

for a total cost of $58,521.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-210-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-27

SPECIAL ORDINANCE NO. S-211-77

AN ORDINANCE approving a contract
with Brudi Stone & Gravel, Inc.
for emergency snow removal equipment
for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Brudi Stone & Gravel, Inc., for:

> Emergency Snow Removal Equipment as required per tab sheet attached to Purchase Order 401295

all as more particulary set forth in Purchase Order No. 401295, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-211-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-28

SPECIAL ORDINANCE NO. S-212-77

AN ORDINANCE approving a contract
with International Harvester
for one tandum dump truck for
the Water Maintenance & Service
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 14, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and International Harvester, for:

One Tandum Dump Truck International
Mdl. F1800, 1978,

for a total cost of $15,589.87, all as more particularly set forth on City Utilities Purchase Order No. 9196 which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-212-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-29

SPECIAL ORDINANCE NO. S-213-77

AN ORDINANCE approving a contract
with Fairland Drilling & Testing
Company for the Three Rivers
Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WYANE, INDIANA:

SECTION 1. That the contract dated September 12, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Fairland Drilling & Testing Company for:

Necessary labor and tools, equipment and other materials required to make test borings at Filtration Plant,

for a total cost of $3,252.00, all as more particularly set forth in City Utilities Purchase Order #9219 which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-213-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-30

SPECIAL ORDINANCE NO. S-214-77

AN ORDINANCE approving a contract
with Hoosier Truck Equipment, Inc. for
the purchase of one dump body and hoist
(mounted) and installed heil for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 14, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Hoosier Truck Equipment Inc., for

One Dump Body and Hoist (Mounted) and
Installed Heil, 1977

for the purchase price of $3,871.00, all as more particularly set forth in Purchase Order 9197, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-214-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-31

SPECIAL ORDINANCE NO. S-215-77

AN ORDINANCE approving a contract
with ALLEN COUNTY MOTORS for one
two ton cab and chassis for the Water
Maintenance & Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 14, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Allen County Motors, for

1 Two Ton Cab and Chassis
Ford Model F600 1978

Less Tradein, 1965 Chevrolet (2) ton truck C63, Unit #107

for a total cost of $7,190.00, all as more particularly set forth in City Utilities Purchase Order #9194 which is on file in the Office of the Board of Public Works and is reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-215-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-32

SPECIAL ORDINANCE NO. S-216-77

AN ORDINANCE approving a contract
with F. S. BRAINARD & COMPANY, INC.
for one strip chart recorder and six
strip charts for the Water Engineering
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 16, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and F. S. Brainard & Company, Inc., for:

1 Mod. #68S3F, Meter Master, Triple
rateofflow, Strip Chart Recorder
complete with Kit Box

6 6"x90' Strip Charts for above

for a total cost of $2,649.00, all as more particularly set forth in said City Utilities Purchase Order #9232 which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-216-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-09-33

SPECIAL ORDINANCE NO. S-217-77

AN ORDINANCE approving a contract
with Delphi Body Works, Inc. for
one crew cab body (mounted) for
the Water Maintenance & Service
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 14, 1977 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Delphi Body Works, Inc. for:

One Crew Cab Body (Mounted)
Delphi Mdl. 4201A, 1977

all as more particularly set forth in Purchase Order No. 9195 which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-11-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-217-77 on the 11th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-01

SPECIAL ORDINANCE NO. S-219-77

AN ORDINANCE approving a contract with Business Equipment Company, for Multi-Purpose Stacking chairs and their installation in the New Senior Citizen Center.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Business Equipment Company, for:

The furnishing and installation of the Multi Purpose Stacking Chairs for the New Senior Citizen Center, located at 300 block West Main Street, Fort Wayne, Indiana.

for a total cost of $12,209.16, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-219-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-02

SPECIAL ORDINANCE NO. S- 220-77

AN ORDINANCE approving a contract with
Stookey Cement Contractor for Direct
Rehab on property at 3118 Bowser Street
in the Oxford Weisser Park Impact Area
Urban Homesteading, for Community
Development and Planning.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 27, 1977 between the City of Fort Wayne, by and through its Mayor and the Community Development & Planning, Neighborhood Care, Inc., and Stookey Cement Contractor, for:

Direct Rehab on property at:
3118 Bowser Street in the Oxford Weisser
Park Impact Area Urban Homesteading

$4,860.00

all as more particularly set forth on Civil City Purchase Order No. 42392, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-220-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-03

SPECIAL ORDINANCE NO. S-221-77

AN ORDINANCE approving a contract for
the purchase of real estate at 2929 Oliver.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the Agreement to Purchase Real Estate dated August 3, 1977, between the City of Fort Wayne, by and through its Mayor and the Fort Wayne Neighborhood Care, Inc., and the Fort Wayne Housing Authority, for:

Lot #22 DeVilbiss Second Addition,
2929 Oliver Street, Fort Wayne, Indiana.

for a total cost of $4775.00, as set forth in said contract, which is incorporated herein by reference, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-221-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BLL NO. S-77-10-04

SPECIAL ORDINANCE NO. S-222-77

AN ORDINANCE approving a contract for
the purchase of real estate at 939 E. Berry.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated August 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Fort Wayne Neighborhood Care, Inc., and Dal E. Mathias, for:

Lot 3 Comparet's 2nd Addition to the City of Fort Wayne,
Allen County, Indiana, 939 E. Berry.

for a total cost of $6000.00, as set forth in said contract, which is incorporated herein by reference, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-222-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-10-08

GENERAL ORDINANCE NO. G-39-77

AN ORDINANCE amending General Ordinance
No. G-27-77 (As Amended).

WHEREAS, heretofore on July 26, 1977, the Common Council of the City of Fort Wayne, Indiana adopted above numbered Ordinance G-27-77 (As Amended); and

WHEREAS, on July 27, 1977, the Mayor of the City of Fort Wayne did approve and sign said Ordinance; and

WHEREAS, because of the 1000 pole survey now being conducted, it is necessary to give a time extension to the Cable T.V. Franchisee in submitting their application into the Office of the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That XIV Applications, page 53, paragraph one, of General Ordinance No. G-27-77 (As Amended) be amended to read as follows:

> Applications for a cable television franchise to construct and operate a cable television system within the City of Fort Wayne shall be prepared in accordance with the advice contained in the instructions herein. One original and twenty-four (24) copies of the application shall be received in the Office of the Board of Public Works, Room 910, City County Building, One Main Street, Fort Wayne, Indiana 46802, no later than 2:00 p.m. on January 4, 1978. One original and five (5) copies of the appendices shall accompany the appli cation. It should be noted that applications submitted after this date and time cannot be accepted.

SECTION 2. That APPLICATION FOR CABLE TELEVISION FRANCHISE APPLICANT'S AFFIDAVIT, page 2, of General Ordinance G-27-77 (As Amended) be amended to read as follows:

> APPLICATION FOR CABLE TELEVISION SYSTEM FRANCHISE
> FOR THE CITY OF FORT WAYNE, INDIANA
>
> PURSUANT TO ORDINANCE NO. G-27-77
>
> Due at the office of the Board of Public Works
> on January 4, 1978 at 2:00 p.m.

Date of this application _____

Name of applicant _____

Address of applicant _____
(Street Address)

_____
(City, State, Zip Code)

Name and telephone number of principal to

whom inquiries should be made: _____

_____
(Area Code - Telephone Number)

_____
(Authorized Signature - Title)

SECTION 3. All other provisions of this ordinance are to remain unchanged and in full force and effect and are hereby ratified.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. G-39-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-23

RESOLUTION NO. R-56-77

A RESOLUTION authorizing payment to
Allen County Motors for repair of Board
of Public Safety Vehicle

WHEREAS, the Board of Public Safety's police vehicle, a 1976 Ford, 4 door, License No. 1142, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $235.50 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $235.50 to Allen County Motors for the repair of the 1976 Ford, 4 door, License No. 11142.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. R-56-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-24

RESOLUTION NO. R-57-77

A RESOLUTION authorizing payment to
Jim Kelley Buick to clear 1975 invoices
for repair of damages to City Vehicle #281

WHEREAS, Insurance Claim 142042334 State Farm Insurance Co. was paid on August 7, 1975 in the amount of $740.70 to cover damages to vehicle #281; and

WHEREAS, This money was deposited in the General Fund on Quietus #9581 dated August 8, 1975 for the amount of $740.70; and

WHEREAS, Review of 1975 records shows the receipt of money concerned from the insurance company but no payment to the vendor for the repair charges; and

WHEREAS, Payment to Jim Kelley Buick for the above amount will clear an irritating, difficult and continuing difference since June, 1975.

NOW THEREFORE, BE IT RESOVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $743.68 is hereby transferred from Account No. 1000105, Insurance Monies, to pay outstanding charges from Jim Kelley Buick covering repair to City Vehicle #281 as shown on Jim Kelley Buick invoice #9539 dated June 20, 1975 and #20664 dated June 27, 1975 amounting to a total of $743.68.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-57-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-25

RESOLUTION NO. R-58-77

A RESOLUTION authorizing payment for
repair parts and equipment for the
Traffic Engineering Department

WHEREAS, the Traffic Engineering Department desires to pay for repair parts and equipment from insurance money received and receipted in the Controller's Office.

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $2,333.38 to Elliott Equipment Corporation for repair parts and equipment purchased by the Traffic Engineering Department

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-58-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-10-26

RESOLUTION NO. R-59-77

A RESOLUTION authorizing payment to
Allen County Motors for repair of
Board of Public Safety Vehicle

WHEREAS, the Board of Public Safety's police vehicle, a 1977 Ford, 4 door, License No. 45P3944, was damaged in an accident and insurance monies were received and recipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $2,038.81 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $2,038.81 to Allen County Motors for the repair of the 1977 Ford, 4 door, License No. 45P3944.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-59-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-05-08 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. B13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lots # 21, 22, 23, 24, 25, and 26 in
Highland Park Forest Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 10-25-77

Charles W. Westerman
City Clerk

BILL NO. G-77-06-39

GENERAL ORDINANCE NO. G-40-77

AN ORDINANCE amending General ORdinance No. G97 by authorizing the vaction of a certain Alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, towit:

> That portion of the north-south alley, extending north from East Branning Street to the east-west alley, lying between Lot #9 Engles Addition and Lot #25 Calhoun Place Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General ORdinance No. G-40-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.
Robert E. Armstrong - Mayor

BILL NO. S-77-10-13

SPECIAL ORDINANCE NO. S-223-77

AN ORDINANCE approving a contract with
Hipskind Asphalt Corporation for
Resolution No. 5761-1977.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hipskind Asphalt Corporation, for:

Resolution No. 5761-1977: To repair and install sidewalk on the following streets:

Sherwood Terrace from Hartman Road to the alley east of Arlington
Maple Grove Avenue from Beaver to the alley east of Arlington
Crestwood from Sherwood Terrace to Westover Road
Sunset Drive from Crestwood Drive to Stratford Road
Korte Lane from Sunset Drive to Stratford Road
Westover Road from Hartman Road to Drury Lane
Stratford Road from Pettit Avenue to Old Mill Road
Old Mill Road from Pettit Avenue to Westover Road
Prange from Beaver Avenue to Tacoma
Pasadena Drive from Beaver Avenue to alley east of Arlington
Pembroke Lane from Westover Road to Indiana Avenue
Drury Lane from Westover Road to Indiana Avenue
Maxine Drive from Lexington Avenue to Indiana Avenue
Lexington Avenue from Old Mill Road to alley east of Tacoma
Beaver Avenue from Pettit Avenue to Lexington Avenue
Indiana Avenue from Pettit Avenue to Rudisill
Tacoma Avenue from Pettit Avenue to Rudisill
South Wayne Avenue from Pettit Avenue to Pasadena Drive
Arlington from Pettit Avenue to Pasadena Drive
Branning from Indiana Avenue to alley east of Tacoma
West Foster Parkway from Indiana Avenue to alley east of Tacoma

for a total cost of $130,647.80, of which will be paid under Barrett Law (by property owners), all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-223-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-14

SPECIAL ORDINANCE NO. S-224-77

AN ORDINANCE approving a contract with
Allen County Motors for two Pick-up
Trucks for Water Pollution Control
Maintenance Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September , 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Water Pollution Control Maintenance Department and Allen County Motors, for:

2 3/4 Ton Trucks (Ford) 1978 Model
F250 Styleside PickUps $10,242.00

all as more particularly set forth on City Utilities Purchase Order No. 9253, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-224-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-15

SPECIAL ORDINANCE NO. S-225-77

AN ORDINANCE approving Change Orders
No. 15 and 16 in connection with Water
Pollution Control Plant Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 15 to HagermanShambaugh in connection with Water Pollution control Plant Additions, request for changes and modifications in the area of the main control room, computer room and the relocation of the lunch room necessitated by size of master control system (Larger than initially anticipated) in the amount of $67,897.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That Change Order No. 16 to HagermanShambaugh in connection with Water Pollution Control Plant Additions, request for addition of overflow sump and submersible pump, new space heater in digester gas compressor room, replacement of two existing electric operated waste sludge butterfly valves, addition of 42" butterfly valve on new 42" air main, heating system for new concrete pipe channel from chlorination bldg., replacement of underground cable which has faults, new pipe anchors for water system to sustain high pressures, plus various modifications, replacements and substitutions of wall, ceiling and bldg. material damaged, cracked, buckled or insufficient to support additional weight commensurat with material modification in the amount of $91,664.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, HUNTER, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-225-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-16

SPECIAL ORDINANCE NO. S-226-77

AN ORDINANCE approving a contract with
Varian Instrument Division for materials
for Water Pollution Control Plant - Lab.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 23, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Varian Instrument Division, for:

Bench Model Gas Chromatograph

TOTAL: $32,474.00

all as more particularly set forth on City Utilities Purchase Order No. 9248, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-226-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-17

SPECIAL ORDINANCE NO. S-227-77

AN ORDINANCE approving a contract with
MacDonald Machinery Co., Inc. for materials
for Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and MacDonald Machinery Co., Inc., for:

1 HANDY RAM
(AIR) Model 125
w/ Super Demolition Point
$2,750.00

all as more particularly set forth on City Utilities Purchase Order No. 9259, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-25-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-227-77 on the 25th day of October, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1977, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1977, at the hour of 4:00 o'clock P.M.,E.S.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-20

SPEICAL ORDINANCE NO. S-228-77

AN ORDINANCE approving an Agreement to Purchase Real Estate from Mr. Eugene Schlink for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated October 18, 1977, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mr. Eugene Schlink, for:

E 38' Lot 23 McLachlin to Mechanicsburg Addition for the total cost of $4,000.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-228-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-21

SPECIAL ORDINANCE NO. S-229-77

AN ORDINANCE approving an Agreement
to Purchase Real Estate from Mr. & Mrs.
Phil Andrews for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated October 17, 1977, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mr. & Mrs. Phil Andrews, for:

E 22' Lot #80 Rockhills 2nd Addition

for the total cost of $3,500.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-229-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-11-01

RESOLUTION NO. R-60-77

A RESOLUTION transferring certain funds
in the 1977 Budget of the Purchasing
Department, Metro. Human Relations Department
Communications, Traffic Engineering Department
Park Department and Redevelopment

WHEREAS, there is a need to replace calculators and a typewriter in the Purchasing Department and there are insufficient funds within the Office Equipment account for said expense; and

WHEREAS, there are sufficient funds in the Salaries account for said expense; and

WHEREAS, there are insufficient funds in the Official Records account for intended depositions and hearings for the remainder of 1977 within the Metropolitan Human Relations department; and

WHEREAS, there are sufficient funds in the Salaries account for said expense; and

WHEREAS, there are insufficient funds for the remainder of 1977 in the Construction account within the Traffic Engineering Department; and

WHEREAS, there are sufficient funds in the Salaries account for said expense; and

WHEREAS, there are insufficient funds for the remainder of 1977 in the Other Materials account within the Park Department; and

WHEREAS, there are sufficient funds in the Retirement & Social Security account for said expense; and

WHEREAS, there are insufficient funds for the remainder of 1977 in the Retirement & Social Security account within the Redevelopment Department; and

WHEREAS, there are sufficient funds in the Salaries account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $1,600.00 is hereby transferred from Account No. 10630111, Salaries, to Account No. 10630725, Office Equipment, in the 1977 Budget of the Purchasing Department.

That the sum of $500.00 is hereby transferred from Account No. 10640111, Salaries, to Account No. 10640361, Official Records in the 1977 Budget of the Metropolitan Human Relations Department.

That the sum of $2,800.00 is hereby transferred from Account No. 10760111, Salaries, to Account No. 10760430, Repair Parts, in the 1977 Budget of the Communications Department.

That the sum of $5,800.00 is hereby transferred from Account No. 10770111, Salaries, to Account No. 10770265, Construction, in the 1977 Budget of the Traffic Engineering Department.

That the sum of $4,000.00 is hereby transferred from Account No. 21850620, Retirement & Social Security, to Account No. 21850440, Other Materials, in the 1977 Budget of the Park Department.

That the sum of $1,900.00 is hereby transferred from Account No. 23870111, Salaries, to Account No. 23870620, Retirement & Social Security, in the 1977 Budget of the Redevelopment Department.

Wiiliam T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-60-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-31

ZONING MAP ORDINANCE NO. Z-31-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. C2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #3 in East Creighton Avenue Addition, as Recorded in Plat Book 1, Page 50, in the Office of the Recorder of Allen County, Indiana, commonly known as 1122 E. Creighton Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-31-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-32

ZONING MAP ORDINANCE NO. Z-32-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. C9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 3 B District under the terms of Chapter 36, Municipal Code of the City of FortWayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 1 through 10, inclusive, in Kincaid Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage,

approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-32-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-09-23

ZONING MAP ORDINANCE NO. Z-33-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lot # 40 Skinner's Addition, commonly known as 2503 Smith Street.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Moses, Nuckols, D. Schmidt, Talarico
Nays: Three
Hunter, V. Schmidt, Stier

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-33-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-34

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. B8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B8, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

West 58 feet of Lot 28 McKinnie Park Place.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Ayes: None

Date: 11-8-77

Charles W. Westerman
City Clerk

BILL NO. G-77-08-35

GENERAL ORDINANCE NO. G-42-77

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
subdivision, street and easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain subdivision, street and easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana, I.C. 18-7-5-46, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following, to-wit:

Springbrook Road in its entirety, Applewood Road from a line connecting the westernmost corner of Lot No. 343 with a point on the southernmost line of Lot No. 276 which point is 23.92 feet from the southernmost corner of Lot No. 276, northeasterly

its entire length within the Plat of Springwood, Section II; and Peartree Lane from a line connecting the southernmost lines of Lots No. 247 and 298, northerly to its intersection with Springbrook Road, all located within the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73, in the Office of the Recorder of Allen County, Indiana, also

Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive in the Plat of Springwood, Section II, a subdivision of Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the Office of the Recorder of Allen County, Indiana, also

All easements in, over or upon Lots No. 247 thru 276 inclusive and Lots No. 298 thru 343 inclusive and all easements in, over or upon those portions of Springwood Road, Applewood Road and Peartree Lane described above, located in the Plat of Springwood, Section II, a subdivision to Fort Wayne, Indiana, recorded in Plat Book 30, Page 73 in the office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, or the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General ORdinance No. G-42-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-29

SPECIAL ORDINANCE NO. S-230-77

AN ORDINANCE approving Change Order No. 1 in connection with Improvement Resolution No. 5723-76

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Carrington & Associates, Inc., in connection with Sidewalk Project involving Oxford Comm. Area, Improvement Resolution No. 572376, elevation change between walk and curb necessitated more backfill dirt and seeding, also additional curb was placed which was omitted in original contract in the amount of $3,657.05, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-230-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-30

SPECIAL ORDINANCE NO. S-231-77

AN ORDINANCE approving a contract with Little Turtles Territories, Inc., for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Little Turtles Territories, Inc., for:

WHEREAS, the Developer desires to construct a sanitary sewer described as follows:

Main 1

Commencing at existing manhole #39 of Res. #272 (St. Joe Interceptor) located 15 ± LF North of and 20 ± East of the Southwest corner of Lot 35 of Fallen Timbers, Section "B";

then Northeasterly 230 ± LF to proposed manhole #1 located 12 ± LF South of the Northeast corner of said Lot 35; thence Northerly 730 ± LF within the right of way of St. Clair's Retreat to a manhole located 88 ± LF East of the Northeast corner of Lot 47 of Fallen Timbers Section "B"; thence West along the North line of said Lot 47 210 ± LF terminating at a proposed manhole located 10 ± LF East of the Northwest corner of said Lot 47.

Lateral #1A

Commencing at manhole #2 of lateral #1 located 27 ± LF South of the centerline intersection of St. Clair's Retreat and Blue Jacket Run; thence West within the right of way of Blue Jacket Run 390 ± LF terminating at a proposed manhole located 15 ± LF East of and 10 ± LF South of the Northeast corner of Lot #40 of Fallen Timbers Addition, Section "B".

Lateral #1B

Commencing at proposed manhole #1 of main #1 located 12 ± LF South of the Northeast corner of Lot 35 of Fallen Timbers Addition, Section "B"; thence Easterly 140 ± LF terminating at a proposed cleanout located 12 ± LF South of and 10 ± LF East of the Northeast corner of said lot #35.

Main #2

Commencing at an existing manhole located 110 ± LF West of and 80 ± LF South of the Southwest corner of Lot #20 of Fallen Timbers Addition, Section "B" ; thence Northeasterly 125 ± LF to a proposed manhole located 16 ± LF South of the Southwest corner of said Lot 20; thence East 490 ± to a proposed cleanout located 8 ± LF South of and 5 ± LF East of the Southwest corner of Lot 24 of Fallen Timbers Addition, Section "B".

for a total cost of $41,227.81, of which the City of Fort Wayne will pay for oversizing $15,219.60, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-231-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-31

SPECIAL ORDINANCE NO. S-232-77

AN ORDINANCE approving a contract with
St. Vincent Catholic Church for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and St. Vincent Catholic Church, for:

Commencing at a proposed manhole over the St. Joe interceptor sanitary sewer located 230 ± LF East of and 20 ± LF South of the centerline intersection of Wallen Road and Old Auburn Road; thence westerly a distance of 850 ± LF in a proposed easement terminating at a proposed manhole, All in the Northeast Quarter of Section 12, Township 31 North, Range 21 East, Allen County, Indiana.

of which the developer shall pay the entire cost and expense of construction of said sewer, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-232-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-32

SPECIAL ORDINANCE NO. S-233-77

AN ORDINANCE approving a contract with
North Eastern Construction Company, Inc.,
for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 19, 1977, between the City of Fort Wayne,

by and through its Mayor and the Board of Public Works and North Eastern Construction Company, Inc., for:

Wherein the Developer desires to construct the following described sanitary sewer for HILLSBORO, SECTION 1 and Offsite Sanitary Sewer Main #1 from Londonberry Lane North to Rothman Road more particularly described as follows:

Offsite Sanitary Sewer Main #1 beginning at a proposed sanitary sewer manhole located 40 ±LF North of the centerline intersection of Maplecrest Road and Rothman Road; thence South 40 ± LF East of and parallel to said centerline of Maplecrest Road 258 ± LF terminating at a proposed sanitary sewer manhole located 40 ± LF East of and 20 ± LF South of the centerline intersection of Maplecrest Road and Londonberry Lane.

Said Sewer shall be 12" in diameter.

Hillsboro, Section 1 Main #2 beginning at a proposed sanitary sewer manhole located 40 ± LF East of and 20 ± LF South of the centerline intersection of Maplecrest Road and Londonberry Lane; thence Easterly along and within the South right-of-way line of said Londonberry Lane 2295 ± LF to a proposed manhole located 20 ± LF South of and 20 ± LF East of the centerline intersection of the said Londenberry Lane and Saxton Run. Said manhole more particularly described as being noted Lateral "D" within Hillsboro Section 1 original plans; thence Southerly along the East rightofway line of said Saxton Run 500 ± LF terminating at a proposed bulkhead.

Said sewer shall be 12" in diameter.

Hillsboro, Section 1:

Lateral "A": beginning at a proposed manhole located 20 ± LF South of and 20 ± LF East of the centerline intersection of Rockingham Drive; thence Southerly generally following the East rightofway line of said Rockingham Drive 950 ± LF terminating at a proposed cleanout located 5 ± LF South of and 5 ± LF West of the Northeast corner of Lot # 26 of said addition.

Lateral "B": beginning at a proposed sanitary sewer manhole located 20 ±LF South of and 20 ± EAst of the centerline intersection of Londonberry Lane and Sullivan's Court; thence due South generally following the East right-of-way line of said Sullivan's Court a distance of 450 ± LF terminating at a proposed manhole located 5 ± LF South of and 5 ± LF West of the Northeast corner of Lot #45 of said addition.

Lateral "C": beginning at a proposed sanitary sewer manhole located 20 ± East of the centerline intersection of Londonberry Lane and Windham Court; thence Southerly 450 ± LF terminating at a proposed manhole located 20 ± LF East of the centerline of Windham Court and 5 ± LF South of the most Northerly property corner of Lot #59 of said addition.

Lateral "E": beginning at a proposed sanitary sewer manhole located 20 ± LF East of and 20 ± LF South of the centerline intersection of Saxton Run and Rockcroft Court; thence due East generally following the South right-of-way line of said Rockcroft Court 400 ± LF terminating at a proposed manhole located 10 ± LF East of and 5 ± LF North of the Northwest corner of Lot #78 of said addition.

Lateral "F": beginning at a proposed sanitary sewer manhole located 5 ± LF North of and I ±LF West of the Northwest corner of Lot #13 of said addition; thence Northwesterly 195 ± LF terminating at a proposed bulkhead located 5 ± LF East of and I ±LF South of the Northwest corner of Lot #112 of said addition.

Lateral "G": beginning at a proposed saintary sewer manhole located 20 ± LF South and 20 ±LF East of the centerline intersection of Londenberry Lane and Saxton Run; thence due North generally following the East right-of-way of said Saxton Run 155 ±LF terminating at a proposed bulkhead.

A Portion of Main #2: beginning at a proposed sanitary sewer manhole located 20 ± LF South of and 20 ±LF East of the centerline intersection of Londonberry Lane and Saxton Run; thence Easterly generally following the South right-of-way line of said Londonberry Lane 390 LF terminating at a proposed manhole located 5 ±LF West of and I ± LF South of the Southwest corner of Lot #91 of said addition.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine - Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-233-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-33

SPECIAL ORDINANCE NO. S-234-77

AN ORDINANCE approving a contract
with AMFED SERVICE CORP., for
construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and AMFED SERVICE CORP., for:

Description of Sanitary Sewer Main #1:

Commencing at the existing Manhole #7 on the St. Joe Interceptor sewer located approximately 2000' south of St. Joe Center Rd. and west of the St. Joe River. The above-referenced manhole is also Manhole #1 at Station 2 + 70 in the Papermill Bluffs, Section I Sewer Project. Thence continuing northwesterly 68 degrees, 18 minutes, 35 seconds, a distance of 130' to Manhole #2 located at Station 4 + 00; thence continuing northeasterly 21 degrees, 41 minutes, 25 seconds, a distance of 185' to Manhole #3 located at Station 5 + 85; thence continuing northwesterly 54 degrees, 3 minutes, 43 seconds, a distance of 232.2' to Manhole #4 at Station 8 + 15; thence continuing north 51 degrees 18 minutes, 35 seconds west, a distance of 440' to Manhole #5 at Station 12 + 55. Said

Manhole also located approximately 20' south of the northeast corner of Lot 26, Papermill Bluffs, Section I. Thence continuing northwesterly a distance of 400' to Manhole #6 at Station 16 + 55, said Manhole located approximately 35' southwest of the northeast corner of Lot 31. Thence northerly 190' to Manhole #7 located approximately 30' west of the northwest corner of Lot 32; thence northwesterly 300' to Manhole #8 at Station 21 + 45, said Manhole located 20' west of the south property corner of Lot 68. Said Manhole #8 terminates Sanitary Sewer Main #1.

for a total cost of $45,637.50, of which the City of Fort Wayne will pay for oversizing $24,575.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-234-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-38

SPEICAL ORDINANCE NO. S-235-77

AN ORDINANCE approving contracts with Preferred Products and General Electric Company for materials for City Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 7, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Preferred Products, for:

123 16 ft. Pedestal Pole Alum Embedded
with Black Duracron Fiinsh
Hapco #56668002

TOTAL: $12,767.40

all as more particularly set forth on City Utilities Purchase Order No. 9297, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That the contract dated October 7, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and General Electric Company, for:

123 Cat #721G610 TC100R Pole Top Luminaire
Rated
100 Watt Lucalox 120 Volt Auto Regulated
Ballast Without Photo Elec. Recept.

Lamp to be in horizontal Position
Type 3 Dist. Acrylic Panels

TOTAL: $15,990.00

all as more particularly set forth on City Utilities Purchase Order No. 9298, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Moses, , seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-235-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-34

SPECIAL ORDINANCE NO. S-236-77

AN ORDINANCE approving a contract with
John Dehner, Inc., for materials for
Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 3, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

For Furnishing labor, material and equipment for the emergency repair of a break in the 10 inch lime sludge main along the north side of the Maumee River at the point where the creek from Lakeside Golf Course empties into the Maumee River. Damaged main was by natural causes.

TOTAL: $3,679.91

all as more particularly set forth on City Utilities Purchase Order No. 9245, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-236-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-35

SPECIAL ORDINANCE NO. S-237-77

AN ORDINANCE approving a contract with
Water Works Suppliers for materials for
Water Maintenance & Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 12, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Water Works Suppliers, for:

13 16" Butterfly Valves, Kennedy 50C
Mechanical Joint With Accessories

Total: $11,992.50

all as more particularly set forth on City Utilities Purchase Order No. 9307, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This ORdinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-237-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-36

SPECIAL ORDINANCE NO. S-238-77

AN ORDINANCE approving a contract with
Hefner Chevrolet Inc., for 1 Station
Wagon for Water Engineering Departmet

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 12, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hefner Chevrolet Inc., for:

1 MidSize Station Wagon (1978) Chevrolet Malibu

Total: $4,850.84

all as more particularly set forth on City Utilities Purchase Order No. 9309, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: NIne
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-238-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-10-37

SPECIAL ORDINANCE NO. S-239-77

AN ORDINANCE approving a contract with
Poinsatte Motors Inc., for two mid-size
Sedans for Water Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 12, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Poinsatte Motors Inc., for:

2 Mid Size Four Door Sedans
Plymouth Fury (1977) Ndl. RL 41

Less One TradeIn Unit #135,
1972 Ford (Maverick 4 door)

Total: $8,991.04

all as more particularly set forth on City Utilities Purchase Order No. 9308, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S=239-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-08-15 (as amended)

ZONING MAP ORDINANCE NO. Z-30-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. EE2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. EE2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Three lots, southeast corner Fillmore
and Middle Street, Lots #48, 49, 58,
Interurban Acres, Plat Book #3, page 75.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier

Date: 11-8-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-30-77 on the 8th day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of November, 1977, at the hour of 4:45 o'clock P.M., E.S.T.

Mayor Robert E. Armstrong

BILL NO. R-77-11-24

RESOLUTION NO. R-61-77

A RESOLUTION transferring certain funds in
the 1977 Budget of the Park Department

WHEREAS, the Park Department has insufficient monies within the Insurance line to pay outstanding insurance premium plus health and life insurance premium for the balance of 1977, and

WHEREAS, there are sufficient funds in the Salaries, Regular account for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $70,000.00 is hereby transferred from Account No. 21850111, Salaries, Regular, to Account No. 21850510, Insurance, in the 1977 Budget of the Park Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-61-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-11-25

RESOLUTION NO. R-62-77

A RESOLUTION authorizing payment to Allen County Motors, Auto Collision Service and Koester's Body Shop for repair of Board of Public Safety Vehicles

WHEREAS, the Board of Public Safety's police vehicle, a 1976 Ford, 4 door, License Plat No. MO11142, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $601.62 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's Weights and Measures vehicle No. 2, a 1969 Chevrolet Station Wagon, License No. 12464, was damaged in an accident and insurance monies were received and recipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $407.85 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's Park Deprtment vehicle, No. 23, 1976 Fort 1 Ton Dump Truck, License No. MO10123, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Auto Collision Service has submitted an estimate in the amount of $120.40 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's police vehicle, a 1973 Plymouth, 4 door, License No. 49P6341, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Koester's Body Shop Inc. has submitted an estimate in the amount of $669.06 for the repair of said vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $601.62 to Allen County Motors for the repair of the 1976 Ford, 4 door, License No. MO11142.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $407.85 to Allen County Motors for the repair of the 1969 Chevrolet Station Wagon, License No. 12464.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $120.40 to Auto Collision Service for the repair of the 1976 Ford 1 Ton Dump Truck, License No. MO10123.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $669.06 to Koester's Body Shop Inc. for the repair of the 1973 Plymouth, 4 door, License No. 49P6341.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-62-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-11-26

RESOLUTION NO. R-63-77

A RESOLUTION transferring certain funds in the
1977 Budget of the Street Department

WHEREAS, there are insufficient funds within the Street Department's Insurance line to pay its portion for major medical insurance; and

WHEREAS, there are sufficient funds in the Salaries, Regular and PERF & FICA accounts for said expense.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $13,100.00 is hereby transferred from Account No. 28880111, Salaries Regular, to Account No. 28880510, Insurance, in the 1977 Budget of the Street Department.

That the sum of $4,000.00 is hereby transferred from Account No. 28880620, PERF & FICA, to Account No. 28880510, Insurance, in the 1977 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-63-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-11-27

RESOLUTION NO. R-64-77

A RESOLUTION authorizing payment for
purchase of miscellaneous repair parts for the
Traffic Engineering Department

WHEREAS, the Traffic Engineering Department is in need of miscellaneous repair parts, which monies have been received and receipted in the Controller's Office; and

WHEREAS, Graybar Electric Co., Inc. and Westinghouse Electric Supply Co. have furnished said repair parts.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $302.80 to Graybar Electric Co., Inc. and to pay the sum of $603.26 to Westinghouse Electric Supply Co. for miscellaneous repair parts for the Traffic Engineering Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-64-77 on the 22nd day of November, 1977.

ATTEST: SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-11-28

RESOLUTION NO. R-65-77

A RESOLUTION approving application for
project loan for low-rent public housing

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under provisions of the United States Housing Act of 1937, as amended, the Public Housing Administration is authorized to provide financial assistance to local public housing agencies for undertaking and carrying our preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise and that the Public Housing Administration shall not make any contract with a public housing agency for project loans for development in respect to any low-rent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such project loan; and

WHEREAS, the Council has heretofore approved the application by the Housing Authority of the City of Fort Wayne, Indiana, (herein called the "Local Authority") for 400 additional units of low-rent housing; and

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana, is a public Housing agency and is applying to the Public Housing Administration for a project loan to cover the costs of development in connection with the development of low-rent housing; namely, Indiana 312 & 313, 50 Houses of Scattered Sites.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the need for low-rent housing at rents within the needs of lowincome families still exists.

2. The application of the Local Authority to the Public Housing Administration for a project loan for development in connection with low-rent housing projects, namely Indiana 3-12 & 3-13, 50 Houses on Scattered Sites is hereby approved.

3. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, HInga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: Two
Hunter, D. Schmidt

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-65-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-07-13

GENERAL ORDINANCE NO. G-43-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain utility easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963, of the General Assembly of the State of Indiana (I.C. 18-7-546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following utility easement, to-wit:

> A three (3) foot easement; Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence in a southerly direction along the west property line for a distance of three feet and to the point of starting Lot # 19 Baltes Flemming Esmond Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-43-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-07-29 (AS AMENDED)

GENERAL ORDINANCE NO. G-41-77

AN ORDINANCE ESTABLISHING A MERIT COMMISSION FOR THE FORT WAYNE FIRE DEPARTMENT, PROVIDING FOR THE SELECTION OF MEMBERS FOR SAID COMMISSION, PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF A MERIT SYSTEM TO GOVERN THE APPOINTMENT AND PROMOTION OF MEMBERS OF SAID DEPARTMENT AND PROVIDING MEMBERS OF SAID DEPARTMENT A METHOD FOR THE RESOLUTION OF GRIEVANCES

SECTION 1.

DEFINITIONS AS USED HEREIN.

The words "Board" and "Board of Safety" shall refer to that agency known as the "Board of Public Safety" and as the "Board of Commissioners of the Department of Safety."

The word "Chief" shall refer to the Chief of the Fort Wayne Fire Department.

The word "City" shall refer to the City of Fort Wayne, Indiana.

The word "Commission" shall refer to the Fire Department Merit Commission as provided for hereinafter.

The word "Commissioner" shall refer to any member of the Fire Department Merit Commission.

The words "Common Council" and "Council" shall refer to the Common Council of the City of Fort Wayne, Indiana.

The words "Fire Department" shall refer to the Fort Wayne Fire Department.

The word "Firefighter" shall refer to any active member of the Fort Wayne Fire Department, excluding those members who are assigned to the Department of Traffic Engineering and/or the Communications Department of the City of Fort Wayne, Indiana, and excluding also those former members who are on the retired list of the Fort Wayne Fire Department.

The word "Mayor" shall refer to the Mayor of the City of Fort Wayne, Indiana.

The words "the two parties" shall refer to the two political parties whose respective candidates for Mayor received the highest number of votes at the last preceding city election. The word "party" shall refer to one of said parties.

The conjunctive shall include the disjunctive and the disjunctive shall include the conjunctive. The masculine shall include the feminine and the neuter shall include the feminine and the masculine. The singular shall include the plural and the plural shall include the singular.

SECTION 2.

QUALFICATION AND SELECTION OF COMMISSIONERS.

Within ninety days after the adoption of the Ordinance, the Fire Department Merit Commission shall be selected as hereinafter provided. The Commission shall consist of five members. The members of the Commission shall be residents of the City of Fort Wayne and persons of good moral character.

No more than three of the Commissioners shall be members of the same party. Two, but no more than two, of said members may be from the retired list of the Fort Wayne Fire Department and the remaining three members of the Commission shall be drawn from a broad cross section of persons representative of the citizens of the City and shall have an interest in, or a knowledge or understanding of, the various phases of the fire service, as performed by the Fire Department. Persons shall be ineligible to serve as members of the Commission if they hold elected or appointed positions as officers of any governmental entity, or full time employment as officers or employees of any governmental entity or if they have held any such employment in the preceding four years. Every member appointed or elected to the Commission shall take and subscribe to an oath that he will conscientiously and faithfully discharge the duties of the office. Said oath shall be filed with the City Clerk.

The members of the Commission shall be selected as hereinafter set forth. The active members of the Fire Department shall elect two members of the Commission. One shall be a member of one of the parties and the second a member of the other of the two parties. The Mayor shall then make one appointment to the Merit Commission, after which the Common Council shall make one appointment to the Merit Commission, who shall be a member of the other party from the member of the Commission appointed by the Mayor. The four Commissioners so elected shall select a fifth member by unanimous vote. Of the two members first elected by the active members of the Fire Department, one shall serve for a term of four years and one shall serve for a term of two years. The candidate receiving the highest number of votes by active members of the Fire Department shall serve the four year term and the candidate who is a member of the other party and who receives the highest number of votes of candidates from said party shall serve the two year term. The first Commissioner appointed by the Mayor shall serve for one year. The first Commissioner appointed by the Common Council shall serve for three years. The fifth Commissioner, selected by unanimous vote by the other four, shall serve for a term of four years. Upon the expiration of the aforesaid terms, the terms of each Commissioner shall be for four years.

For the purpose of selecting candidates to be elected by the active members of the Fire Department to serve as members of the Fire Commission, there shall be a nominating committee from each of the two parties. Each such committee shall consist of five members. The Board of Safety shall designate a period of ten days in which to call for and receive the name of any active member of the Fire Department who wishes to serve on one of the two nominating committees. Any such member shall make application to the Board, in writing, within the designated period, identifying the party of which he is a member on his application. In the event there are fewer than five applicants, the Board of Safety shall nominate additional firefighters so that there shall be five.

At the close of the ten day period, the Board shall compile a list of each of the two parties showing the names of all those wishing to serve on the nominating committee of their respective parties. A meeting shall then be called by the Board for members of each of the two parties. All those who have made application to the Board, or who have been nominated by the Board, shall be notified to attend the meeting of their respective parties. If the number of applicants for the nominating committee exceeds five, an election shall be held. The Board of Safety shall conduct such election. Each applicant shall vote for five applicants by secret ballot. The five applicants receiving the highest number of votes shall be elected to the nominating committee.

It shall be the responsbility of each nominating committee to canvass the community, including members of the retired list of the Fire Department and to select three candidates for election as a member of the Commission. When selected, the names of the candidates shall be placed on ballots to be used in the election as provided for hereinafter. At such election, each voter shall vote for two candidates, one from each of the two parties.

Each nominating committee shall organize itself with a chairperson and a vicechairperson.

The elections by the active members of the Fire Department shall be made at meetings held on two consecutive days, called for such purpose by the Board of Safety. The Board shall give at least three weeks' notice of said meetings to all members of the Fire Department by posting a copy of the notice in all Fire Company locations, and by sending every active member of the Fire Department a notice indicating the time and place of said meetings. No one shall be entitled to be present at the meetings and exercise the right to vote unless he is a member of the Fire Department.

Each of the nominating committees, as provided for above, shall choose from its own membership one person to serve as a co-chairperson of the election. Said co-chairpersons shall have charge of the conduct of the election. Voting shall be by secret ballot and the candidate receiving the highest number of votes of candidates from said party shall be elected as members of the Commission. Active members of the Fire Department who are on vacation, ill, injured, or otherwise unable to attend either such meeting may vote by written proxy. Said proxy must be notarized and put into a sealed envelope and sent to the co-chairpersons prior to the election and opened and counted immediately after the counting of the ballots at said meeting. The results of the election shall be tabulated and filed with the City Clerk.

Upon the completion of the term of a Commissioner elected by the active members of the Fire Department, or upon any such Commissioner's leaving office for any other reason, the same procedure shall be followed for the election of a new Commissioner as hereinabove specified except that the Board

of Safety shall designate a period of ten days in which to call for and receive the name of any active member of the Fire Department who wishes to serve on the nominating committee and who is a member of the same party as the Commissioner whose term has expired or who has left office for any other reason. In the event there are fewer than five applicants, the Board of Safety shall nominate additional firefighters so that there shall be five. At the close of such ten day period, the Board shall call a meeting for members of said party. All those who have made application to the Board, or have been nominated by the Board, shall be notified to attend the meeting. If the number of applicants exceeds five, an election shall be held. The Board of Safety shall conduct such election. Each applicant shall vote for five applicants by secret ballot. The five applicants receiving the highest number of votes shall be elected to the nominating committee. It shall be the responsibility of the nominating committee so selected to submit a list of three candidtates who shall be members of the same party as the members of the nominating committee. The election thereafter held shall be under the supervision of the nominating committee so chosen and confined to the three candidates selected by said committee but all active members of the Fire Department shall be entitled to vote at said election.

SECTION 3.

REMOVAL.

Any Commission member may be removed for cause by the body which selected him. Such removal shall be effected by that body's filing a statement, in writing, in the Office of the City Clerk and a copy shall be served upon the member. Any member shall be removed if he becomes ineligible for reasons of residency or for assuming political office or full time employment as proscribed in Section 2 hereof.

SECTION 4.

COMPENSATION.

Each of the five members of the Commission may be paid a per diem allowance for each day of actual service in an amount not to exceed Fifty Dollars ($50.00) per day subject to the approval of the Mayor and the Common Council; and in addition, the members may be paid a salary, not to exceed Five Hundred Dollars, $500.00) per year for each member, subject to the approval of the Mayor and the Common Council.

SECTION 5.

FILLING UNEXPIRED TERM.

In the event a Commissioner is unable to complete his term because of death, sickness, resignation, or any other reason, a Commissioner shall be selected to complete his term in the same manner as he was selected.

SECTION 6.

MEETING AND QUORUM.

Three members of the Commission shall constitute a quorum for the transaction of all official business at meetings of the Commission. Meetings shall be held after each member of the Commission has been notified of the time and place of the meeting by certified mail, return receipt requested, which notice shall be received at least three days before the meeting, or by any other such means as may be agreed upon unanimously by all Commission members.

SECTION 7.

ESTABLISHMENT OF RULES AND REGULATIONS AND OFFICERS.

Such Commission shall establish rules and regulations to implement the provisions of this Act affecting hiring, rating and promotion of all Fire Department members below the rank of Assistant Chief. Before any such regulations shall be adopted by the Commission, the Commission shall provide for a public hearing to consider the adoption of the proposed rules and regulations. The Commission, at least ten days prior to the fixed date for such public hearings, shall cause a notice of the hearing to be published in two newspapers of general circulation in the City of Fort Wayne, Indiana. The notice shall contain an announcement of the time and place of the hearing and a resume of the subject matter of the proposed rules and regulations.

At least ten days prior to the hearing, one copy of the proposed rules and regulations shall be placed on file in the Office of the City Clerk and shall be open to inspection by any citizen of such City, and additional copies of the proposed rules and regulations shall be forwarded to each Fire Company. At the hearing, any resident of said City, as well as any member of the Fire Department, shall be afforded the opportunity to be heard on any matter relative to the adoption of the proposed rules and regulations, and shall be allowed to present either written or oral testimony. All testimony

so presented shall be given due consideration by the Commission in making its final decision on adopting the proposed rules and regulations.

The Commission shall elect, from its members, a chairman, vicechairman and a secretary, for a one year term. The secretary of the Commission shall make and keep permanent record of its proceedings. The Commission shall be authorized and directed to prepare and adopt rules and regulations governing the hiring of persons to be employed as members of the Fire Department, the rating of persons employed as active members of the Fire Department and the promotion of members of the Fire Department up to and including the rank of District Chief, from the next lower rank.

Duplicate personnel files and records involving individual members of the Fire Department are to be maintained in locked files in the office of the Fire Chief and in the office of the Commission. These records are to be used only by the Fire Chief and the Commission or their authorized representatives. Any individual firefighter, or his authorized representative, may examine his own file, but none of such personnel files and records are public record.

All test material shall be the property of the Commission. Any unauthorized distribution of such material shall be punishablee, upon conviction, by a fine of One Thousand Dollars ($1,000.00) or such an amount as shall be the maximum permitted by state law.

SECTION 8.

HIRING

The Commission shall cause all applicants for the Fort Wayne Fire Department to be tested, in a manner it determines. The Commission shall establish and maintain a list of eligible candidates based on the results of such tests, those scoring highest to be placed at the head of the list. As openings occur in the department, the Commission shall supply the Board of Public Safety with a list of eligible candidates on a ratio of applicants to opening of no greater than one and six tenths or no less than one and five tenths (three to two ratio or the next highest multiple). In the event of one opening, two applicants shall be provided.

SECTION 9

JOB DESCRIPTION

FIRE CHIEF:	Responsible for the overall supervision and control of the Fire Department which includes development of policy and procedures, budget preparation, personnel administration, discipline, public relations and fire scene command, monitoring the Fire Department radio frequency and normally on call at all times.
DEPUTY CHIEF:	Responsible for overall supervision when the Chief is out of town or incapacitated. Handles routine day to day duties. In charge of buildings and grounds of the fire stations. Preparation and supervision of budgets and accounting. In charge of personnel and records; overall control of offices and respective personnel. Second level of command.
ASSISTANT CHIEF:	Senior officer on duty in combat division, A, B or C shifts. Exercises field control of shift to which assigned. In charge of fire scene unless relieved by the Chief or Deputy Chief. Third level of command.
ASSISTANT CHIEF FIRE SHOP:	Responsible to the Fire Chief for the maintenance shop, the mechanical condition and maintenance of all Fire Department vehicles, apparatus, tools and equipment, including the repair and testing of such equipment.
ASSISTANT CHIEF TRAINING DIVISION:	In charge of all phases of personnel training and maintaining records. In charge of the training academy.

ASSISTANT CHIEF FIRE PREVENTION BUREAU:	Supervises record section of the Fire Department consisting of Fire Department runs, Emergency Medical Service runs, completion of State Fire Marshall Report forms and Monthly Report forms. Supervises the inspections required by law of all commercial, industrial, mercantile, and other buildings in the corporate limits. Exercises responsibility for enforcement of State Article VII codes, concerning the applicable fire safety laws. Supervises activities in the field of fire safety education of community groups. Recommends to the administration any additions or changes to the Fire Prevention Code. Supervises the investigations of any suspected arson and other activities done by the investigative section. Performs public relations work for the department such as preparing news releases, public appearances on television, and public speaking engagements.
DISTRICT CHIEF:	Responds to all fire alarms in his respective portion of the City except "stills." Takes initial command of a fire scene and directs fire extinguishing operations by the various Fire Companies on the scene. If the Assistant Chief responds to the fire scene, the District Chief relinquishes command. Shall notify the Fire Prevention Bureau if arson is suspected or if the fire cause is undetermined. Shall also visit each fire station under his command every day, if practical.
DISTRICT CHIEF (DEPUTY CHIEF) FIRE PREVENTION BUREAU:	Works with the Fire Prevention Assistant Chief. During the absence of the Fire Prevention Assistant Chief, assumes the duties of the Fire Prevention Chief.
PLATOON CAPTAIN COMBAT:	Next rank below that of District Chief, in command of a rescue unit. In the absence of the District Chief, the Platoon Captain assumes the duties of the District Chief. At fires involving sprinkled buildings, it is the duty of the Platoon Captain to see that standpipes are being supplied with water from one of the pumps and to see that the merchandise and furnishings are properly protected with salvage covers whenever necessary.
PLATOON CAPTAIN FIRE SHOP:	Responsible to Assistant Chief of the Fire Shop. Handles routine assignments and prepares daily work loads for mechanics.
PLATOON CAPTAIN TRAINING DIVISION:	Assists Assistant Chief of the Training Division in training men, house duties and maintaining records.
PLATOON CAPTAIN INSPECTORS:	Inspects all buildings pertaining to the Fire Prevention Code, investigates fires and public relations work for the department.
CAPTAIN:	Assigned to Engine Companies. The Company Officer is responsible for the morale, discipline, training and performance of his particular Fire Company. Responsible for the condition of the building and apparatus. In the event that two Captains are assigned to the same Engine House, the Captain with the most overall seniority shall be the Station Commander.

CAPTAIN FIRE SHOP:	Performs duties of regular maintenance and repairs on all vehicles under the supervision of the Assistant Chief of the Fire Shop.
LIEUTENANT:	In charge of Ladder Companies. In the absence of the Captain, the Lieutenant assumes the duties of the Captain.

SECTION 10.

RATINGS AND PROMOTION.

The rules and regulations of the Commission shall prescribe that the following four factors shall be the basic components in rating a member of the Fire Department and that such ratings shall determine the eligibility of all Fire Department personnel for promotion to new positions or to fill vacancies in all ranks below Assistant Chief. Such eligibility ratings shall remain valid for a period of three years. All members of the Fire Department interested in promtion under the provisions of this Act are eligible for a rating as hereinafter provided.

FACTOR 1. THE SENIORITY RIGHTS OF A MEMBER OF THE FIRE DEPARTMENT. The seniority rights of a member shall be based on two percent per year service up to and including fifteen years. For the purpose of awarding credit for incomplete years of service, a formula of one sixth of one percent per month shall be applied.

FACTOR 2. THE GRADE RECEIVED BY A MEMBER ON A COMPETITIVE EXAMINATION PERTAINING TO THE FIRE SERVICE IN FORT WAYNE. A maximum of forty percent shall be awarded on the competitive examination. Consideration for the maximum award shall be equally divided between a written examination and the hands on performance of fire fighting evolutions.

FACTOR 3. PERSONAL INTERVIEW BY THE COMMISSION. A maximum of ten percent shall be awarded for the personal interview. A personal qualification guide (resume) shall be presented to the Commission prior to the appearance of any member.

FACTOR 4. PAST PERFORMANCE. A maximum of twenty percent shall be awarded for past performance. On initial implementation all members shall receive credit for the full twenty percent for past performance. Thereafter, to prescribe the manner of determining, a rating for past performance, the rules and regulations shall contain a provision requiring that performance ratings shall be made every six months for each member of the Fire Department, not including the Fire Chief. Such ratings shall be made by the immediate superior officer of the member and shall be given to the member, in person, by that officer, so that the member has full knowledge of his rating. The member being rated shall affix his signature to his rating. The member's signature shall indicate full knowledge of the rating but shall not be construed as being an approval or a disapproval of the same. Such ratings shall then be submitted as a written report to the Fire Chief and the Commission for permanent file in their respective offices. Said report shall be made up of at least five descriptive areas, including quality of work, quantity of work, attitude toward work, relationship with people and the supervision of employees (if applicable). The report shall be used by the immediate superior officer for further evaluation. This evaluation shall be limited to overall description. It shall be further provided that the Fire Chief of the department shall allow any member to see their rating upon request. If then any member is dissatisfied with his rating, he may submit a written statement to be attached permanently to such report and may request a hearing with the Commission within thirty days of such rating being disclosed to the member. The Commission shall then hear the case with the member and the immediate superior officer present. The Commission shall have the authority to affirm or increase the rating.

SECTION 11.

TIME REQUIREMENTS FOR PROMOTION.

In order for a member of the Fire Department to be considered for promotion to a higher rank, the member shall have served as an active member of said department for the period of time and in the ranks as set forth below:

PRIVATE for a period of time not less than five years.

LIEUTENANT for a period of time not less than three years.

CAPTAIN for a period of time not less than two years. In the event a vacancy occurs in any rank prior to three years from the date the first merit appointment is made, the Commission shall have the authority to fill that vacancy with the firefighter Most Qualified by reducing the time in rank requirement as set forth above, such reduced time requirement to be not less that the elapsed time from the first merit appointment.

In order for any active member of the Fire Department to be appointed as an Administrative Appointee, he shall have served not less than eight years on the department.

SECTION 12.

EXCEPTION TO THE TIME REQUIREMENT FOR PROMOTION.

There shall be no time in grade requirement for those officers who are to be placed in the specific ranks below that of Assistant Chief following the tests for promotion. When such tests are given again, such officers shall not have to return to lower ranks to satisfy the time in grade requirement; provided, however, they shall have the proper amount of seniority as set forth in Section 11.

SECTION 13.

PROMOTION AND DEMOTION.

All promotion to any rank shall be made from the next immediate lower rank, except promotions to the rank of Fire Chief, Deputy Chief and Assistant Chief. The Board of Safety shall have the authority to promote to or demote from said ranks. Demotion from any of said ranks shall mean demotion from rank only and not removal from department, except in the case as from removal for cause. IC 181-113. While serving in any of the aforesaid ranks, a firefighter shall be eligible to increase his permanent rank one grade. If firefighter serving in any of the aforesaid ranks attains eligibility for such next higher grade, he shall accrue seniority in that grade while serving as Fire Chief, Deputy Chief or Assistant Chief. If such a firefighter desires to increase his permanent grade to the second higher level, he may do so, provided, however, that if he qualifies for promotion to such level, he is to resign his position as Fire Chief, Deputy Chief or Assistant Chief, and accept promotion in his permanent rank at such time as an opening occurs and he must serve in said rank for a minimum of six months before he may be appointed to the rank of Fire Chief, Deputy Chief or Assistant Chief.

Any firefighter demoted from the rank of Fire Chief, Deputy Chief or Assistant Chief shall be assigned to the last permanent rank he had attained through merit appointment in the division from which he was promoted.

In the event there are no openings in such last permanent rank, the firefighter holding the least seniority in that rank immediately below will be demoted to the next lower rank until such a time as the next opening occurs in the rank from which he was demoted or any rank in between in the event his temporary demotion was more than one grade. If two or more persons hold the same seniority, the person with the lowest composite score in the testng for that rank shall be demoted. Provided, however, that is the bumping of personnel, caused by the demotion process as set forth above, should cause any Fire Department division to become overloaded with personnel, the Fire Chief shall cause excess personnel to be transferred to another division.

SECTION 14.

CONTINUING COMPETENCY.

SECTION 14A. For the purpose of determining the continuing competency of officers holding merit appointments under this Ordinance, all such officers shall be retested every three years. If any such officer fails to attain a grade of an acceptable level as determined and announced prior to the test by the Commission, there shall be a period of up to sixty days following the grading of the tests in which he may retake the test in an effort to raise his grade. If at that time he again fails to attain an acceptable grade, he shall be demoted to the next lower rank and shall not be eligible for promotion until such a time as testing is conducted to determine eligibility for openings in the rank from which he was demoted.

SECTION 14B. Any officer holding an appointment under this Ordinance and any private may question the competency of any officer holding an appointment under this Ordinance by submitting written charges in duplicate to the Fire Chief and to the Chairman of the Commission. The Fire Chief and the Chairman of the Commission shall examine such charges and refer them to the three immediate superiors of the individual being charged. The Fire Chief, the Chairman of the Commission and the three immediate superiors shall, within two weeks, hold a hearing with both the individual charged and the individual filing the charges being present. Each of the parties involved shall be entitled

to subpoena witnesses. The persons hearing the case shall make a judgment and said judgment shall be referred to the Commission as a body for further action as it may deem appropriate.

In the case of a Lieutenant, the three immediate superiors shall be considered his Captain, Platoon Captain and District Chief. In the case of a Captain, the three immediate superiors shall be considered his Platoon Captain, District Chief and Assistant Chief. In the case of a District Chief, the three immediate superiors shall be considered his Assistant Chief, Fire Chief and Commission Chairman. In each instance, those officers hearing any such charges shall be from the same shift as the officer being accused.

SECTION 15.

GRIEVANCE PROCEDURE.

The nature of the fire service is such that serious grievances arise more often than in many other occupations, and personal frustration over the implementation of this Ordinance may increase the number of such grievances. This Section 15 is intended to provide an expeditious and equitable method of resolving such grievances.

Grievances which may arise, with the exception of those relating to competency as defined in Section 14B, shall be resolved in the manner set forth below. Likewise excluded from these procedures shall be all matters that apply to the annual compensation (salary) paid to Fire Department member as determined through action of the Common Council.

STEP I: If a grievance does exist, the aggrieved party shall present, in writing, the grievance to the Chief of the Fire Department for adjustment.

STEP II: The Chief of the Fire Department shall meet with the aggrieved party within five business days. If within five business days from the date of the first meeting with the Fire Chief the grievance has not been mutually settled, it shall be submitted to the Chairman of the Board of Safety for consideration and mutual adjustment. The Chairman of the Board of Safety shall arrange to meet with the aggrieved party within five business days after receipt of such grievance. Within five business days following the first meeting with the Chairman of the Board of Safety, the Board shall give its written answer.

STEP III: In the event the aggrieved party is not satisfied with the answer of the Board of Safety of said grievance and desires to take said grievance to arbitration, he shall notify the Chairman of the Board of Safety, in writing, of his intention to do so within ten business days after receipt of the answer of the Board of Safety to said grievance. The aggrieved party shall then immediately forward a written request to the American Arbitration Association to name a panel of three arbitrators from which an arbitrator shall be chosen. Upon receipt of panel, the employer and the aggrieved party each shall strike an arbitrator within two business days. In the event an arbitrator cannot be selected by the above process, the American Arbitration Association shall select the arbitrator. The conduct of the arbitration shall be governed by the rules of the American Arbitration Association. The findings of the arbitrator shall be final and binding on all parties, unless it is determined that said findings are in violation of Indiana law. The aggrieved party and the employer will share equally the costs for the services of the arbitrator.

SECTION 16.

THE INITIAL APPOINTMENTS.

No later than fifteen months after the adoption of this Ordinance, the Commission shall have held competitive examinations and interviews, open to all firefighters, for the purpose of determining the ratings of members of the Fire Department, the Commission shall have completed the seniority credit for each firefighter and the Commission shall have given each firefighter twenty percent credit for past performance, all as contemplated by Section 10 of this Ordinance. As soon as practicable after the completion of such competitive examinations and interviews, but in no event later than eighteen months after the adoption of this Ordinance, the Commission shall make individual appointments to each rank from Lieutenant through District Chief, each inclusive. Such appointments shall become effective at dates to be determined by the Commission but all such appointments shall be effective no later than eighteen months after the adoption of this ordinance.

Except in such cases as firefighters may be reappointed to the same ranks as they held prior to the initial appointments by the Commission described in the immediately preceding paragraph of this Ordinance, the making of such appointments shall effect the removal of all firefighters holding ranks below that of Assistant Chief from the respective ranks they held immediately prior to such initial appointments, it being undesirable and unnecessary to have a duplication of rank.

Prior to the making of the initital appointments under this Ordinance all officers of the Fire Department, with the exception of the Chief, shall retain their respective ranks; provided, however, that any such officer may be removed pursuant to IC 181113 and provided, further, that, in the event

any court of competent jurisdiction makes a determination that any former officer was wrongfully demoted from his rank, such former officer shall be restored to his rank and an officer presently serving in such rank shall be removed.

SECTION 17

BOARD OF PUBLIC SAFETY APPOINTMENTS

Except as provided in Section 16 above, the Fire Chief shall continue to hold office at the discretion of the Board of Public Safety, and his qualifications shall not be subject to the examination procedures of the Commission. When appointing a Fire Chief, Deputy Chief, or Assistant Chief after the implementation of this Act, the Board of Public Safety must make said appointment from a member of the Fire Department with a permanent rank of not less than Captain. Promotions to the ranks of Fire Chief, Deputy Chief, and Assistant Chief shall be made by the Board of Public Safety from the active membership of the Fire Department provided that any member, in order to be eligible for appointment to any such rank of Fire Chief, Deputy Chief or Assistant Chief, shall be required to have served as an active member of said department for not less than the period of time as set forth in Section 11 and in the ranks as set forth in Section 11 and provided, further, that he has attained the rank of Captain through the process of competitive examination.

SECTION 18.

ESTABLISHMENT OF ENGINEER GRADE.

The Commission shall, within three years from the date of the implementation of this Act, establish the rank of Second Engineer and First Engineer to be filled through competitive examination.

A Second Engineer shall be that firefighter who is regularly assigned to drive and operate those pieces of Fire Department apparatus commonly referred to as aerial ladders, snorkels or elevated platforms.

A First Engineer shall be that firefighter who is regularly assigned to drive and operate those pieces of Fire Department apparatus commonly referred to as pumps, pumpers, or engines.

SECTION 19.

FIRE PREVENTION BUREAU

The Assistant Chief of the Fire Prevention Bureau shall be appointed by the Board of Public Safety. In no event shall the Assistant Chief of the Fire Prevention Bureau be promoted to that rank from a grade lower than Captain.

All firefighters shall be given the opportunity to participate in a competitive examination to determine a permanent grade level in the Fire Prevention Bureau, provided that they have not less than five years of service on the Fire Department regardless of the division to which they were previously assigned.

There shall be no time in grade requirement for Fire Department personnel testing for the Fire Prevention Bureau.

The firefighter serving as Fire Prevention Bureau Assistant Chief, at the time this Ordinance becomes effective, shall be eligible to participate in any such testing to determine the permanent grade to which he shall be assigned on his demotion. In no event shall the Assistant Chief of the Fire Prevention Bureau be demoted to a grade lower than that from which he was promoted, provided that grade was attained through merit testing.

The methold of rating and promotion of firefighters testing for the Fire Prevention Bureau shall be as outlined in Section 10, with the exception that no hands on performance of Fire Department evolutions shall be required. A maximum of forty percent shall be awarded on the competitive examination for the Fire Prevention Bureau.

After testing, a list shall be compiled by the Commission of the total composite scores. That firefighter awarded the highest composite score shall appear at the top of said list and shall be deemed first eligible. The names of all other Fire Department members tested for the Fire Prevention Bureau shall appear in order of their total composite scores.

The Fire Department member deemed first eligible shall be named Deputy Chief of the Fire Prevention Bureau.

The remaining Fire Department members deemed eligible for promotion shall be awarded the rank of Platoon Captain in order of their composite scores, and in sufficient numbers to fill all available openings for that rank as are allocated to that division at that time.

After a sufficient number of eligibles have been placed in the rank of Platoon Captain to fill all available openings, the remaining eligibles shall be awarded the next lower rank in sufficient numbers to fill all openings for that rank as are allocated to that division at that time.

A similar procedure shall be employed until all allocated ranks are filled with eligible from those Fire Department members tested.

The Fire Chief may, at his discretion, assign medically disabled Fire Department members to the Fire Prevention Bureau on a temporary or permanent basis, provided that the medically disabled member shall not displace or otherwise cause to be removed any Fire Prevention Bureau Officer who has attained rank through merit testing.

SECTION 20.

TRAINING DIVISION.

The Assistant Chief of the Training Division shall be appointed by the Board of Public Safety. In no event shall the Assistant Chief of the Training Division be promoted to that rank from a grade lower than Captain.

All firefighters shall be given the opportunity to participate in testing for a permanent grade level in the Training Division, provided that they have not less than five years of service on the Fire Department, regardless of the division on which they were previously assigned.

There shall be no time in grade requirement for the firefighters testing for the Training Division. That individual serving as Training Division Assistant Chief at the time this Ordinance becomes effective shall be eligible to participate in any such testing to determine the permanent grade to which the member shall be assigned upon his demotion.

The Training Division Assistant Chief shall not be demoted to a grade lower than the last permanent rank attended.

The method of rating and promotion of Fire Department members testing for the Training Division shall be as outlined in Section 10 with the hands on performance relating to the teaching of a given assignement. After testing, a list shall be compiled by the Commission of the total composite scores. That Fire Department member awarded the highest composite score shall appear at the top of said list and shall be deemed first eligible. The names of all other Fire Department members tested for the Training Division shall appear in order of their total composite scores.

The Fire Department member deemed first eligible for promotion shall be awarded the rank of Platoon Captain, Training Division. The remaining members deemed eligible for promotion shall fill all available openings for that division as are alloted to that division at that time.

SECTION 21.

FIRE SHOP.

The Master Mechanic of the Fire Shop shall be appointed by the Board of Public Safety. The Platoon Captain of the Fire Shop shall be an administrative appointee. The Fire Shop shall be comprised of the following ranks: Master Mechanic, Platoon Captain, Captain, Lieutenant and Private. Privates shall serve not less than one year in the Fire Shop to be eligible for promotion to Captain in the Fire Shop. Platoon Captain shall come from the Captain's rank within the Fire Shop. For the purpose of evaluating Fire Shop personnel below the rank of Platoon Captain, Section 10 shall apply. Said evaluations to be made by the Fire Shop Platoon Captain and the Master Mechanic. In the case of the Fire Shop Platoon Captain, the Master Mechanic shall make the required evaluation.

From the effective date of this Act, all new Fire Shop personnel shall be required to have five years aggregate previous experience, educational and practical, in all of the following fields: light mechanics, heavy truck mechanics, hydraulics, welding and diesel. All Fire Shop personnel shall be required to attend the Fire Department Training Academy.

SECTION 22.

RATINGS AND PROMOTIONS SUBJECT TO RULES AND REGULATIONS

All ratings and promotions made by the Commission shall be subject to the rules and regulations of the Commission, and to the statutes of the State of Indiana.

SECTION 23.

POLITICAL INVOLVEMENT.

Firefighters coming under the provisions of this Act are not required to contribute to any

political fund or render any political service to any person or party whatsoever; and no person shall be removed, reduced in classification or salary, or otherwise prejudiced by refusing to do so; and any official coming under the provisions of this Act who attempts same shall be guilty of violating the provisions of this Act and upon conviction shall be punished by a fine of Five Hundred Dollars ($500.00).

SECTION 24.

EFFECTIVE DATE.

This Act shall be effective on its adoption.

SECTION 25.

SEVERABILITY.

If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Hunter, D. Schmidt
Abstained: One
Nuckols

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-41-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

PASSED BY THE NEEDED 2/3 (TWO-THIRD) VOTE BY COMMON COUNCIL TO OVERRIDE THE MAYOR'S VETO.

BILL NO. S-77-11-04

SPECIAL ORDINANCE NO. S-240-77

AN ORDINANCE approving a contract with
K & H Realty Corporation for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 2, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and K & H Realty Corporation, for:

Commencing at a point 204 ± LF East of the centerline of North Clinton Street in a proposed 20' easement on the North 20 feet of Lot 2 Herman Young Homestead Addition, Section "A" in the Southwest 1/4 of the North West 1/4, Section 25, Township 31 Range 12, East Allen County, Indiana; thence Northwesterly a distance of 230 ± LF; thence Northeasterly a distance of 82 ± LF; thence Northwesterly a distance of 533 ± LF, thence Westerly a distance of 317 ± LF terminating at a proposed manhole.

of which the developer shall pay the entire cost and expense of the construction of said sewer, and the City agrees to pay Developer $15,363.00 within 30 days after City acceptance, for public drainage share, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.,
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-240-77 on the 22nd day of November, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-05

SPECIAL ORDINANCE NO. S-241-77

AN ORDINANCE approving a contract with
Michael W. Thomas for construction of a
sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 24, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Michael W. Thomas, for:

OFF-SITE SEWER

Beginning at an existing manhole located on the west side of St. Joe Road and south of the Schoppman Drain in the area of the Market Place of Canterbury; thence southeasterly along an easement on a property owned by Indiana Bank and Trust Company 455 ± feet to a proposed manhole; thence continuing southeasterly along an easement on a property owned by the National Organization of the New Apostolic Church of North America 245 ± feet terminating at a proposed manhole located on the northerly extension of the est edge of said Villas of the Market Place Addition. Said sewer shall be eighteen (18) inches in diameter.

ON-SITE SANITARY SEWERS

Sanitary - Lateral No. 1

Beginning at the proposed manhole on the terminus of the aforedescribed Off-Site Sanitary Sewer; thence South 90 ± feet to proposed manhole # 1 located at the northwest corner of Lot Numbered 11 in said Villas of the Market Place Addition; thence southeasterly 115 ± feet to proposed manhole #2

located in the cul-de-sac on Bluebird Court; thence southerly along the easement along the west side of Bluebird Court 340 ± feet to proposed manhole #4 located on the north side of Kendale Drive; thence westerly along an easement along the north side of Kendale Drive 575 ± feet, terminating at proposed manhole #6 located at the southeast corner of Lot Numbered 1 in said addition.

Said sewer shall be eight (8) inches in diameter

Sanitary - Lateral No. 2

Beginning at proposed manhole #3 located on the aforedescribed Lateral No. 1 in the east side of Lot Numbered 10 in said addition; thence easterly in an easement along the south side of Redbird Trail 289 ± feet to proposed manhole #7 located at the northeast corner of Lot Numbered 29 in said addition; thence southerly along an easement on the west side of Robin Run 305 ± feet to proposed manhole #8; thence westerly in an easement along the south side of Kendale Drive 175 ± feet terminating at the proposed manhole located at the northeast corner of Lot Numbered 24 in said addition.

Said sewer shall be eight (8) inches in diameter.

of which the developer shall pay the entire cost and expense of the construction of said sewer, and the City agrees to pay the Developer (within twenty (20) days after City acceptance) the cost of oversizing which is herein established at $5,189.50, and the Developer shall pay the balance of the cost of said Sewer, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-241-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-06

SPECIAL ORDINANCE NO. S-242-77

AN ORDINANCE approving a contract with
John Dehner, Inc., for Resolution No.
5773-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated September 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

Resolution No. 57731977: The Lafayette Street Complex with the installation of Salt Bins. The structure consists of wide flange columns and oak planking. This structure will be located east of the Street Department Storage Garage.

for a total cost of $13,950.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Huner, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-242-77 on the 22nd day of November, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-07

SPECIAL ORDINANCE NO. S-243-77

AN ORDINANCE approving a contract with
Hipskind Asphalt Corporation for
Resolution No. 5770-77.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 24, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hipskind Asphalt Corporation, for:

Resolution No. 5770-77: To partially construct sidewalk and 100% curb on St. Joe Blvd. from north curb line of Forest Avenue to the south curb line

of State Blvd., to a width of 5' and concrete curbing as specified in accordance with City Plans and Specifications. Project will also include center island park curbs.

for a total cost of $38,427.50, of which will be paid under Barrett Law (by property owners), all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, JR.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-243-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-08

SPECIAL ORDINANCE NO. S-244-77

AN ORDINANCE approving Change Order No. 1 in connection with Improvement Resolution No. 5744-76.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Wayne Asphalt & Construction Co., Inc. in connection with Improvement Resolution No. 5744-76, Resurfacing 5th and 6th Councilmanic District, in the amount of $13,604.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-244-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-09

SPECIAL ORDINANCE NO. S-245-77

AN ORDINANCE approving a contract with
Westinghouse Electric for materials for
City Street Lighting Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the contract dated October 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Westinghouse Electric, for:

100,000 Ft. 2/C 6" Alum Wire

TOTAL: $6,647.00

all as more particularly set forth on City Utilities Purchase Order No. 9345, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-245-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-10

SPECIAL ORDINANCE NO. S-246-77

AN ORDINANCE approving a contract with
Graybar Electric Company for materials
for City Street Lighting Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 19. 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Graybar Electric Company, for:

100,000 Ft. 2/C #4 Alum Wire - 600 Volt
XLP Insulated - Yellow and Black

TOTAL: $13,215.00

all as more particularly set forth on City Utilities Purchase Order No. 9326, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-246-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-11

SPECIAL ORDINANCE NO. S-247-77

AN ORDINANCE approving a contract with
E. H. Wachs Company for materials for
Water Maintenance & Service Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 25, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and E. H. Wachs Company, for:

1 Traveling Rotary Cutter Pipe Saw Model "E" TravLCutter with the following accessories:		$6,200.00
1 set Additional chains for all pipe sizes thru 42" diameter pipe.	377.00	
1 each - 6" diameter carbide tipped slitting saw for cement lined pipe to 1" wall	169.00	
1 each - 7" diameter carbide tipped slitting saw for cement lined pipe to 1 1/2" wall	184.75	
1 set - 5" x 30 bevel cutters (one right hand and one left hand)		195.00
	TOTAL:	$7,125.75

all as more particularly set forth on City Utilities Purchase Order No. 9361, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-247-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-12

SPECIAL ORDINANCE NO. S-248-77

AN ORDINANCE approving a contract with
International Harvester Company for
materials for City Utilities Garage.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 20, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and International Harvester Company, for:

Requisition for purchase order to pay balance
due to International Harvester for repairs on
Unit #151.
Estimate was $2,500.00 on P.O. #9024 and total
charges amounted to over $3000.00.
P.O. #9024 was issued for $2,332.73 and
balance due is now $681.93.

TOTAL: $681.93

all as more particularly set forth on City Utilities Purchase Order No. 9352 which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-248-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-13

SPECIAL ORDINANCE NO. S-249-77

AN ORDINANCE approving blanket purchase
orders for materials for the Water
Maintenance & Service Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Water Works Supplies Inc., City Utilities Purchase Order No. 9354, for a blanket order for Bronze Fittings for 1978, for a total estimated maximum cost of $40,603.50 to be charged against Water Maintenance & Service Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed, and approved.

SECTION 2. That the contract dated October 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cooper Distributing Co., Inc., City Utilities Purchase Order No. 9355, for a blanket order for Bronze Fittings for 1978, for a total estimated maximum cost of $5,570.00 to be charged against Water Maintenance & Service Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-249-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-15

SPECIAL ORDINANCE NO. S-250-77

AN ORDINANCE approving blanket purchase orders for materials for the various departments within the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated October 24, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Indland Oils, City Utilities Purchase Order No. 9331 and Civil City Purchase Order No. 4-01400, and Aero Oil Company, City Utilities Purchase Order No. 9332, and Civil City Purchase Order No. 4-01401, and A. B. C. Motor Oil, City Utilities Purchase Order No. 9333 and Civil City Purchase Order No. 4-01402, and Summit City Standard, City Utilities Purchase Order No. 9334 and Civil City Purchase Order No. 4-01403, and Gladieux Refinery, City Utilities Purchase Order No. 9335, and Civil City Purchase Order No. 4-01404, for 1978 requirements for Automotive Oil and Grease, all for an estimated maximum cost of $26,816.53 to be charged against the various departments within the City of Fort Wayne as the supplies are needed, which said purchase

orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-250-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-16

SPECIAL ORDINANCE NO. S-251-77

AN ORDINANCE approving blanket purchase orders for materials for the various departments within the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated October 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Allen County Tire Store, City Utilities Purchase Order No. 9343, and General Tire Company, City Utilities Purchase Order No. 9344, and Allen County Tire Stores, Civil City Purchase Order No. 4-01407, and General Tire Company, Civil City Purchase Order No. 4-01408, for 1978 requirements for Tires and Tubes, for a total approximate value of $92,509.45, to be charged against the various departments within the City as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-251-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-17

SPECIAL ORDINANCE NO. S-252-77

AN ORDINANCE approving blanket purchase orders for materials for the various departments within the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated October 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and R.P.S. Products, City Purchase Order No. 9327 and Civil City Purchase Order No. 4-01396, and Anthony Motor Parts, City Utilities Purchase Order No. 9328 and Civil City Purchase Order No. 4-01397, and IMEL Battery, City Utilities Purchase Order No. 9329 and Civil City Purchase Order No. 4-01398, and Crown Battery, City Utilities Purchase Order No. 9330 and Civil City Purchase Order No. 4-01399, for a blanket order for 1978 requirements for Automotive Batteries, all for a total estimated cost of $27,050.31 to be charged against the various departments within the City of Fort Wayne as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdiancne No. S-252-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-18

SPECIAL ORDINANCE NO. S-253-77

AN ORDINANCE approving a blanket purchase order for materials for the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Tht the contract dated October 27, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Doubleday Brothers & Company, City Utilities Purchase Order No. 9340, for a blanket order for Typewriter Ribbons and lift off tapes, for a total estimated maximum cost of $3,484.44 to be charged against Office Services Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-253-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-19

SPECIAL ORDINANCE NO. S-254-77

AN ORDINANCE approving a contract with the City of Fort Wayne and Maysville Regional Sanitary Sewer District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 19, 1977, between the City of Fort Wayne,

by and through its Mayor and the Board of Public Works and the Maysville Regional Sanitary Sewer District, for:

> The rendering of sewage treatment service through Maysville Regional Sanitary Sewer District's connection with the Fort Wayne sewer,

all according to the rules and regulations approved by the EPA and Fort Wayne City Council, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-254-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-20

SPECIAL ORDINANCE NO. S-255-77

AN ORDINANCE approving a contract with
the City of Fort Wayne and Leo Cedarville
Regional Sewer District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the Leo Cedarville Regional Sewer District, for:

> The rendering of sewage treatment service through Leo Cedarville Regional Sewer District's connection with the Fort Wayne sewer,

all according to the rules and regulations approved by the EPA and Fort Wayne City Council, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is be reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: NIne
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-255-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-14

SPECIAL ORDINANCE NO. S-256-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 25, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Wayne Pipe & Supply, City Utilities Purchase Order No. 9358, for a blanket order for Copper Pipe Requirements for 1978, for a total estimated maximum cost of $9,976.00 to be charged against Water Maintenance & Service Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: NIne
Burns, Hunter, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-22-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-256-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of November, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-21

SPECIAL ORDINANCE NO. S--257-77

AN ORDINANCE approving blanket purchase orders for materials for the Street Department, Parking Department, Park Department, Filtration Plant, W.P.C. Plant, Street Lighting, Water Maintenance and Service Department and W.P.C. Maintenance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated October 31, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Paul C. Brudi Stone & Gravel Co., City Utilities Purchase Order No. 9387 and Civil City Purchase Order No. 401465, and May Stone & Sand, Inc., City Utilities Purchase Order No. 9389 and Civil City Purchase Order No. 401467, and Midwest Aggregates Corporation, City Utilities purchase Order No. 9388 and Civil City Purchase Order No. 401466, for a blanket order for 1978 covering requirements for Stone, Sand, Top Soil and various Agrregates per Bill Reference No. 806, all for a total estimated maximum cost of $350,000.00 to be charged against Street Department, Parking Department, Park Department, Filtration Plant, W.P.C. Plant, Street Lighting, Water Maintenance & Service Department and W.P.C. Maintenance as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-257-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-22

SPECIAL ORDINANCE NO. S-258-77

AN ORDINANCE approving blanket purchase orders for materials for the Water Maintenance and Service Department, Street Department and Park Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated November 2, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hipskind Asphalt Corp., City Utilities Purchase Order No. 9383 and Civil City Purchase Order No. 401476, and Wayne Asphalt & Construction Co., City Utilities Purchase Order No. 9392 and Civil City Purchase Order No. 401477, for a blanket order for 1978 Asphalt Requirements per Quotation #0023, all for an estimated maximum cost of $5,350.00 to be charged against Water Maintenance and Service Department, Street Department and Park Department as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-258-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-23

SPECIAL ORDINANCE NO. S-259-77

AN ORDINANCE approving a contract with Midwest Fire Equipment for materials for the Fort Wayne Fire Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 1, 1977, between the City of Fort Wayne, by and through its Mayor and the Fort Wayne Fire Department and Midwest Fire Equipment, for:

1 ea. Retrofit for 1975 Pumper Telescopic Water Tower

TOTAL: $38,957.50

all as more particularly set forth on Civil City Purchase Order No. 401475, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-259-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-49

SPECIAL ORDINANCE NO. S-260-77

AN ORDINANCE amending Chapter 28, Section 28-30 (b) of the Code of the City of Fort Wayne, Indiana of 1974 concerning taxicabs

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 28, Section 2830 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended as follows:

(a) Section 2830 (b) concerning the charges to be made for the carrying of passengers by taxicabs of the City of Fort Wayne, is further amended as follows:

"Section 2830 (b) charging of fares by taximeter rate" is hereby deleted in its entirety and the following is substituted therefor:

Section 2830 (b) charging of fares by taximeter rate, the following fares shall be charged for carrying of passengers by taxicabs:

1) From one to and including four passengers, for the first one seventh (1/7) mile or fraction thereof, the fare shall be seventy cents (70¢);

2) For each additional oneseventh (1/7) mile or fraction thereof, the fare shall be an additional ten cents (10¢);

3) An additional charge of forty cents (40¢) shall be made for transporting over four passengers;

4) For each one minute of waiting time or fraction thereof, the fare shall be an additional ten cents (10¢) or Six Dollars ($6.00) per hour;

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, Nuckols, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-260-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of December, 1977, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-12-08

RESOLUTION NO. R-66-77

A RESOLUTION authorizing payment to DeWells Body Shop for repair of Board of Public Safety Vehcile

WHEREAS, the Board of Public Safety's EMS vehicle, a 1976, Dodge Van, License No. #25026, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, DeWells Body Shop has submitted an estimate in the amount of $536.13 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $536.13 to DeWells Body Shop for the repair of the 1976 Dodge Van, License No. #25026.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Buns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-66-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-76-04-55

ZONING MAP ORDINANCE NO. Z-34-77

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. J7, J9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. J7, J9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of that portion of the West Half of the Northeast Quarter, lying South of the centerline of East State Boulevard, together with part of a 2.55 acres tract in the Fractional Southeast Quarter, both in Section 33, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the intersection of the East-West centerline of said Section 33 with the East right-of-way line of Grandeur Drive, said point of intersection being situated, by deed, 698.0 feet, S 89° 57' E (platted bearing and is used as the basis for the bearings in this description) of the center of said Section 33; thence N 00° 17' E, on and along the East right-of-way line of Grandeur Drive, 37.7 feet to true the centerline of East State Boulevard; thence N 77° 49' E, on and along said centerline, 120.0 feet to the point of beginning; thence N 77° 49' E, continuing along said centerline, 469.5 feet to the West line of said Street, as defined by a line 60.0 feet (measured at right angles) West of and parallel to the East line of the West Half of

said Northeast Quarter, a distance of 240.6 feet to the Northerly line of a 0.90 acre tract of land conveyed to Indiana and Michigan Electric Company by a deed recorded at Deed Record 640, Page 248 in the Office of the Recorder of Allen County, Indiana; thence S 77° 52' W (recorded S 77° 40' 30" W) on and along the Northerly line of said 0.90 acre tract, 446.8 feet to the Northwest corner of said 0.90 acres tract; thence N 05° 10' W, 236.4 feet to the true point of beginning, containing 2.470 acres of land, subject to legal right-of-way for East State Boulevard.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Talarico
Nays: One
Stier
Absent: One V. Schmidt
Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-34-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-10-09

ZONING MAP ORDINANCE NO. Z-35-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION. That the area described as follows is hereby designated a B 4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. M11, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 4, 5, 6, and 7 in Fremion's Addition to the city of Fort Wayne, According to the Plat thereof, recorded in Plat Record 9, Page 74 in the office of the Recorder of Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-35-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-10-11

ZONING MAP ORDINANCE NO. Z-36-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 03.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. 03, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #9 Eckels Subdivision

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
Stier

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning

Map ORdinance No. Z-36-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-11-03

ZONING MAP ORDINANCE NO. Z-37-77

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. U14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. U14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Parcel "A"

Part of the East one-half of the Southeast Quarter, Section 33, Township 31 North, Rage 13, East, in Allen County, Indiana, in particular described as follows to-wit:

Commence at the Northwest corner of Lot 1 in Lofton Woods, Section 1 as recorded in Plat Book 32, page 58, as situated on the East right-of-way line of 60' wide Indiana and Michigan Electric Company easement; thence Northerly along said Indiana and Michigan Electric Company Easement right-of -way line, a distance of 63.5 feet to a wood post found; thence Northeasterly by a deflection right of 85 degrees 18 minutes, along a fence line, a distance of 30.0 feet to an iron pin found; thence Northeasterly by a deflection left of 18 degrees 27 minutes on and along said line fence, 104.2 feet to a broken-off steel fence post found; thence Northeasterly by a deflection left of 13 degrees 58 minutes on and along said line fence, a distance of 100.0 feet to a iron pin set on the Southerly projection of the East line of the West 6 acres of the South 25 acres of the East one-half of the Northeast Quarter of said Section 33; thence Southerly along the aforesaid line produced South by a deflection right of 126 degrees 59 minutes, a distance of 167.95 feet to the North line of said Lofton Woods, Section 1; thence Westerly along the line aforesaid by a deflection right of 90 degrees 15 minutes, a distance of 206.2 feet to the point of beginning, containing 0.488 acres, more or less, of land;

Together with all Parcels or slivers of land created by the discrepancies in the several courses between Deed Record 701, pages 377-378 (Delagrange to Fort Wayne Community Schools), and Document No. 76-00084, (Boehme to Chimney Corners, Inc.) lying Westerly of the East line of the aforesaid described 0.488 acres

Parcel "B"

Part of the West Half of the East Half of Section 33, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows: to-wit:

Beginning at the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 33, said point being situated, by deed, 3 chains or 198 feet North of the former centerline of the Hicksville Road, as shown on Surveyor's Record "D", Page 214; thence S 00° - 11'30" W (Bearings in this description are based on a platted bearing of S 89° - 57'E for the East-West centerline of said Section 33): on and along the East line of the West half of the East half of said Section 33, a distance of 197.74 feet (recorded 198 feet) to said former centerline of Hicksville Road; thence N 89° - 09'W, on and along said former centerline, 60.0 feet; thence N 00° - 30" E, and parallel to the East line of said West Half, a distance of 360.33 feet (recorded 360 feet, more or less) to the centerline of East State Boulevard; thence N 77° - 49' E, on and along said East State Boulevard, centerline 51.43 feet (recorded 63 feet, more or less) to the East line of said West Half; thence S 00° - 11' - 30" W, on and along said East line, 176.45 feet (recorded 178 feet) to the point of beginning, containing 0.506 acres of land.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Moses, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Talarico
Nays: One
Stier
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-37-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-10-27

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P 11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. P 11, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 81, 82, 83, 84 and 85 in
South Walton Ave., Acres Addition to the
City Of Fort Wayne, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Moses, seconded by Hunter and duly adopted, placed on its passage. Lost by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

BILL NO. G-77-06-41

GENERAL ORDINANCE NO. G-44-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain Alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to-wit:

The east and west alley between Wayne and Washington and between Webster and Ewing from the east line of Lots 5 and 8 in Block 28 in Ewing's Addition eastward to its present terminus.

The alley extending south from Wayne Street between Webster and Ewing through Lot #473 in Samuel Hanna's Addition, West Park

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana;

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-44-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-08-19

GENERAL ORDINANCE NO. G-45-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain part of a subdivision and all of a street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain part of a subdivision and all of street having been filed with the Fort Wayne City Plan Commission in accordance with SEction 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-47) the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting he following, to-wit:

Lots 125 thru 153 in Rodenbeck's 7th Addition, including all easements located in or on these lots, and all of Torrington Drive.

SECTION 2. After passage of this ordinance, approval by the Mayor and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk of the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Moses, seconded by HInga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General ORdinance No. G-45-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-06-40

GENERAL ORDINANCE NO. G-LOST

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain right-of-way

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain right-of-way having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General ORdinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following right-of-way, to-wit:

> The East 40 feet of the present City of Fort Wayne 100 foot right-of-way that is immediately adjacent to the Western boundary line of Lots 13 through Lots 26 in St. Joe Garden's Addition according to the recorded plat thereof, said 40 foot most Eastern portion of said right-of-way to be vacacted from the Northern boundary line of Lot 13 to the Southern boundary line of Lot 26 in St. Joe Garden's Addition according to the recorded plat thereof, Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns,Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

BILL NO. S-77-11-32

SPECIAL ORDINANCE NO. S-261-77

AN ORDINANCE approving Change Order No. 1 in connection with Project No. 51815 B, Northcrest Woods Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to T & F Corporation, in connection with Project No. 51815 B, Northcrest Woods Addition, in the amount of $183.80 to be paid under Barret Law (by the property owners), as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, STier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-261-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-33

SPECIAL ORDINANCE NO. S-262-77

AN ORDINANCE approving a contract with L. W. Dailey, Inc., for Resolution No. 5774-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 7, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L. W. Dailey, Inc., for:

Resolution No. 57741977: To construct sidewalk on the north side of Pontiac Street from the east property line of Central Drive to the west property line of Radcliff Drive.

for a total cost of $36,570.50, of which will be paid under Barrett Law (by property owners, all as more particularly set forth in said Contract which is no file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.,
Councilman

Read the third time in full and on motion by Moses, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-262-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-34

SPECIAL ORDINANCE NO. S-263-77

AN ORDINANCE approving a contract with
T & F Construction Company for Installation
of Street Lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 1, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T & F Construction Company, for:

Installation of street lighting with underground
wiring in West Central Phase II

for a total cost of $17,256.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and aftet its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-263-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-35

SPECIAL ORDINANCE NO. S-264-77

AN ORDINANCE approving blanket purchase orders for materials for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Marblehead Lime Company, City Utilities Purchase Order No. 9427, and Mississippi Lime Company, City Utilities Purchase Order No. 9428, for a blanket order for 1978 Pebble Lime, $44.41/Ton, Delivered Marblehead Lime Company, $44.12/Ton Delivered, Mississippi Lime Company, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-264-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-36

SPECIAL ORDINANCE NO. S-265-77

AN ORDINANCE approving a Change Order No. 7 in connection with Division III/ Sludge Lagoons, Project No. C-180536-01

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 7 to John Dehner, Inc. SpearsDehner, Inc., (Joint Bidder) in connection with Project No. C18053601, Division III Sludge Lagoons in the amount of $15,969.60, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by HInga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-265-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-37

SPECIAL ORDINANCE NO. S-266-77

AN ORDINANCE approving a contract with
North Eastern Enterprises Inc., for
Contract No. 7721

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 14, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and North Eastern Enterprises Inc., for:

To construct 2750 ± feet of 12" and 3250 ± ft. of 6" water mains, including all necessary fittings as follows:

On Londonderry Lane from Maplecrest Road eastward to its terminus; also, on Chamsford Drive from Londonderry Lane northward to the north property line of Lot #113. On Rockingham Drive from Londonderry Lane southward to the south property line of Lot #25. On Sullivan Court from Londonderry Lane southward to its Terminus. On Windham Court from Londonderry Lane southward to its terminus. On Saxton Run from the north property line of Lot #97 southward to the south property line of Lot #72, and on Rockcroft Court from Saxton Run eastward to its terminus, all in Hillsboro Addition, Sec. 1.

for a total cost of $82,475.00, of which the City will pay $3,155.00, and it is also agreed that the City will pay the difference between the cost of material, contractual labor, equipment, as supplied by the Contractor, the difference being $21,695.00, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-266-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-38

SPECIAL ORDINANCE NO. S-267-77

AN ORDINANCE approving blanket purchase
orders for materials for the Three Rivers
Filtration Plant and Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Ulrich Chemical Inc., City Utilities purchase Orders No. 9436 and 9437, for a blanket order of 1978 requirements for Liquid Chlorine, 165 Tons and 660 Tons $122.33/ Ton Delivered, to be charged against Three Rivers Filtration Plant and the Water Pollution Control Plant as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-267-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-39

SPECIAL ORDINANCE NO. S-268-77

AN ORDINANCE approving a blanket purchase
order for materials for the Three Rivers
Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ICI American, Inc., City Utilities Purchase Order No. 9430, for a blanket order for 250 Tons Activated Carbon, $432.00/Ton, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof

and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Counculman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-268-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-40

SPECIAL ORDINANCE NO. S-269-77

AN ORDINANCE approving a blanket purchase order for materials for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cities Service Company, City Utilities Purchase Order No. 9431, for a blanket order for 250 Tons (Ferri Flac) Ferric Sulfate, $80.00/Ton, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-269-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-41

SPECIAL ORDINANCE NO. S-270-77

AN ORDINANCE approving a blanket purchase order for materials for the Three Rivers Filtration Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Calvert Chemical Company, City Utilities Purchase Order No. 9432, for a blanket order for 13 tons Sodium Chlorite, $150.00/cwt. Dry Basin, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-270-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-42

SPECIAL ORDINANCE NO. S-271-77

AN ORDINANCE approving a blanket purchase order for materials for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and BASF Wyandotte Corporation, City Utilities Purchase Order No. 9429, for a blanket order for 960 Tons Soda Ash, $91.59/Ton Delivered, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-271-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-43

SPECIAL ORDINANCE NO. S-272-77

AN ORDINANCE approving a blanket purchase order for materials for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Ulrich Chemical Company, City Utilities Purchase Order No. 9435, for a blanket order for 5515 lbs. Potassium Permanganate, $72.45/cwt., to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns.
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-272-77 on the 13th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-44

SPECIAL ORDINANCE NO. S-273-77

AN ORDINANCE approving a contract with
Hagerman Construction Corporation, for Water
Works Improvements Wash Water Retention
Basin Contract No. 77-W-1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 9, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hagerman Construction Corporation, for:

Water Works Improvements Wash Water Retention
Basin Contract No. 77W1

for a total cost of $540,600.00 all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-273-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-45

SPECIAL ORDINANCE NO. S-274-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance and Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 31, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Cooper Distributing Co., Inc., City Utilities Purchase Order No. 9364, for a blanket order for fire hydrants requirements for 1978, all for a estimated maximum cost of $48,600.00 to be charged against Water Maintenance and Service Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-274-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-46

SPECIAL ORDINANCE NO. S-275-77

AN ORDINANCE approving blanket purchase orders for materials for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated October 31, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Rockwell International Meter, City Utilities Purchase Order No. 9375, and Hersey Meter Products, City Utilities Purchase Order No. 9376, for a blanket order for 1978 Requirements for Water Meters, all for a total maximum estimated cost of $153,066.08 to be charged against Water Maintenance & Service Department as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-275-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-47

SPECIAL ORDINANCE NO. S-276-77

AN ORDINANCE approving a blanket purchase order for materials for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT, WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Ulrich Chemical Inc., City Utilities Purchase Order No. 9433, for a blanket order for 11 Tons Anhydrous Ammonia, .175/lb, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinane No. S-276-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-48

SPECIAL ORDINANCE NO. S-277-77

AN ORDINANCE approving a blanket purchase order for materials for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 4, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Ulrich Chemical Company, City Utilities Purchase Order No. 9434, for a blanket order for 80 Tons Sodium Silicofluoride, $13.99/cwt. delivered, to be charged against Three Rivers Filtration Plant as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
V. Schmidt

Date: 12-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-277-77 on the 13th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of December, 1977, at the hour of 1:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-01

SPECIAL ORDINANCE NO. S-278-77

AN ORDINANCE approving an Agreement to
Purchase Real Estate from Mr. & Mrs. Charles
Momper for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate October 10, 1977, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mr. & Mrs. Charles Momper, for:

N. W. Corner Wheeler & Runnion Street, Fort Wayne
Indiana. Lots 23, 26, 27, 28 and 29.

for the total cost of $8,000.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Abstained: One Burns
Absent: Three -- Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-278-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-02

SPECIAL ORDINANCE NO. S-279-77

AN ORDINANCE approving contracts with
Allen County Motors and Mobile Aerial Towers
for two vehicles and one fiberglass Utility body

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FOR WAYNE, INDIANA:

SECTION 1. That the contract dated November 17, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Allen County Motors, for:

1	Item #1 1978 3/4 Ton Pick Up Truck Ford Model F250	$4,739.00
1	Item #2 1978 One Ton Cab and Chassls Ford Model F350	$2,673.00
	TOTAL:	$7,412.00

all as more particularly set forth on Civil City Purchase Order No. 401818, which is on file in the Office of the Department of PUrchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That the contract dated November 17, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Mobile Aerial Towers, for:

1	Fiberglass Utility Body Mounted	
	TOTAL:	$2,656.35

all as more particularly set forth on Civil City Purchase Order No. 401819, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. THis Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D.Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-279-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-03

SPECIAL ORDINANCE NO. S-280-77

AN ORDINANCE approving a blanket purchase order for materials for the Police Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 2, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Badger Uniforms, Inc., Civil City Purchase Order No. 401880, for a blanket order for Police Uniforms and Equipment for 1978, to be charged against the Police Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hinga, Hunter, Stier, Talarico
Nays: One
Nuckols
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-280-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-04

SPECIAL ORDINANCE NO. S-281-77

AN ORDINANCE approving contract with Weigand Construction Co., Inc., Shambaugh & Son, Inc., Havel Bros., Inc., for the Humane Shelter

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Weigand Construction Co., Inc., for:

The general construction work for the remodeling of and the additions to the Fort Wayne Humane Shelter, 2225 Dwenger Ave., Fort Wayne, Indiana.

for a total cost of $225,548.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That the contract dated November 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Shambaugh & Son, Inc., for:

The mechanical construction work for the re modeling of and the additions to The Fort Wayne Humane Shelter, 2225 Dwenger Ave., Fort Wayne, Indiana.

for a total cost of $95,118.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. That the contract dated November 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Havel Bros., Inc., for

The electrical construction work for the remodeling of and the additions to The Fort Wayne Humane Shelter 2225 Dwenger Ave., Fort Wayne, Indiana.

for a total cost of $25,588.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-281-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-06

SPECIAL ORDINANCE NO. S-282-77

AN ORDINANCE approving a contract with
Deeds Equipment Company for snow removal
equipment for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 2, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Deeds Equipment Company, For:

1 1976 Model R-487-P Single Axle Dump Truck equipped with Snow Plow, Underbody Scraper, Tailgate Spreader and Hydraulic Tool Circuit complete.

TOTAL: $32,465.00

all as more particularly set forth on Civil City Purchase Order No. 4-01881, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-282-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-12-25

RESOLUTION NO. R-67-77

A RESOLUTION authorizing payment to Allen County Ford for repair of Park Department's vehicle

WHEREAS, the Board of Public Safety's Park Department vehicle, a 1974 Ford Truck, License No. MO10110, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Ford has submitted an estimate in the amount of $1,973.28 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $1,973.28 to Allen County Ford for the repair of the 1974 Ford Truck, License No. MO10110.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-67-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-7712-27

RESOLUTION NO. R-69-77

A RESOLUTION authorizing payment for
purchase of miscellaneous repair parts
for the Traffic Engineering Department

WHEREAS, the Traffic Engineering Department was in need of miscellaneous repair parts, which monies have been received and receipted in the Controller's Office; and

WHEREAS, Gammatronix, Inc. and Graybar Electric Co., and Westinghouse Electric Supply Co., have furnished said repair parts.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $120.00 to Gammatronix, Inc., and to pay the sum of $341.25 to Graybar Electric Co., and to pay the sum of $431.56 to Westinghouse Electric Supply Co., for miscellaneous repair parts for the Traffic Engineering Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-69-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-12-07

GENERAL ORDINANCE NO. G-46-77

AN ORDINANCE amending General Ordinance
No. G-27-77 (As Amended)

WHEREAS, heretofore on July 26, 1977, the Common Council of the City of Fort Wayne, Indiana, adopted above numbered Ordinance G2777 (As Amended): and

WHEREAS, on August 3, 1977, the Mayor of the City of Fort Wayne, Indiana, did approve and sign said Ordinance; and

WHEREAS, it is necessary to delete on page 53, paragraph 5, of Article XIV; Applications:

"But in no case will the assessment be greater than One Thousand Five Hundred Dollars ($1,500.00) per applicant: (I.E., each unsuccessful applicant is guaranteed of receiving a minimum of Eight Thousand Five Hundred Dollars ($8,500.00) refund)."

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in General Ordinance No. G2777 (as Amended), page 53, paragraph 5, of Article XIV; Applications: "But in no case will the assessment be greater that One Thousand Five Hundred Dollars ($1,500.00) per applicant: (I.E., each unsuccessful applicant is guaranteed of receiving a minimum of Eight Thousand Five Hundred Dollars ($8,500.00) refund)." is hereby deleted.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-46-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-10-39

GENERAL ORDINANCE NO. G-48-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain Street and Alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street and alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street and alley, to-wit:

1. All that portion of East Brackenridge Street lying between the east right-of-way line of South Clinton Street and the west right-of-way line of South Lafayette Street;

2. All that portion of South Barr Street, south of East Douglas Avenue, lying between the south right-of-way line of an existing alley (extending in an eastwest direction and being approximately fourteen feet in width) and the north right-of-way line of East Brackenridge Street; and

3. All that portion of an existing alley (extending in and east-west direction and being approximately fourteen feet in width) lying between the east right-of-way line of South Barr Street and the west rightofway line of South Lafayette Street. Said alley is located south of East Douglas Avenue and north of East Brackenridige Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Thre e
Mos es, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-48-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-01-31

ZONING MAP ORDINANCE NO. Z-38-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB-9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Number One (1) in B. W. & S. W. Vessy's Addition to the City of Fort Wayne, according to the recorded plat thereof, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hinga, Hunter, Nuckols, Talarico
Nays: One
Stier
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-38-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-11

SPECIAL ORDINANCE NO. S-283-77

AN ORDINANCE approving blanket purchase orders for materials for the C.U. Garage WPC Plant, WPC Maintenance, Street Lighting Dept., Filtration Plant, Water Maintenance & Service Department, Street Dept. Lawton Park, Fire Dept., Traffic Parking Adminstration, and Police Garage

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated November 14, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Central Supply Co., Inc., City Utilities Purchase Order No. 9337, and Central Supply Co., Inc., Civil City Purchase Order No. 401351, for a blanket order for Electric Lamps, all for an estimated maximum cost of $31,000.00 to be charged against the above listed departments as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.,
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three Nuckols, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-283-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-12

SPECIAL ORDINANCE NO. S-284-77

AN ORDINANCE approving a contract with
Preferred Products for materials for
City Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 30, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Preferred Products, for:

20 35 ft. Alum. Pole Painted Bronze
Cat. #60805001 without anchor bolts

TOTAL: $8,325.40

all as more particularly set forth on City Utilities Purchase Order No. 9487, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-284-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-13

SPECIAL ORDINANCE NO. S-285-77

AN ORDINANCE approving a contract with Bercot, Inc., for E.D.A. Project No. 06-51-26281; construction of a Sanitary Sewer: Resolution No. 294-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Bercot, Inc., for:

To complete in a workmanlike manner all the work required for the Construction of:

FREEMAN STREET COVINGTON ROAD SANITARY SEWER E.D.A. PROJECT NO. 06-5126281 Sanitary Sewer Resolution No. 29477.

for a total cost of $387,348.00 all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-285-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-14

SPECIAL ORDINANCE NO. S-286-77

AN ORDINANCE approving a contract with
General Electric Company for materials
for the City Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 30, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and General Electric Company, for:

25 400 Watt Lucalox Decashield Luminaire
Rated 120 Volt Regulator type Ballast
Type MC11 Dist. G.E. CAT C651G500

TOTAL: $5,750.00

all as more particularly set forth on City Utilities Purchase Order No. 9488, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-286-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-15

SPECIAL ORDINANCE NO. S-287-77

AN ORDINANCE approving contracts with
Preferred Products and General Electric
Company for materials for the Street Lighting
Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract dated December 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Preferred Products, for:

39 16 ft. Black Alum Pedestal Pole with Black
Deuracron Finish Hapco 56668002

TOTAL: $4,048.20

all as more particularly set forth on City Utilities Purchase Order No. 9503, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Contract dated December 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and General Electric Company, for:

39 Cat. #721G610 TC 100R pole Top Luminaire rated
100 W. Lucalox with 120 volt regulator ballast Lamp
to be in horizontal position with type dist acryclic
panels without photo receptical.

TOTAL: $5,070.00

all as more particularly set forth on City Utilities Purchase Order No. 9504, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-287-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-16

SPECIAL ORDINANCE NO. S-288-77

AN ORDINANCE approving Change Order No. 1
in connection with Resolution No. 5757-1977.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Brooks Construction Co., Inc., in connection with Resolution No. 5757-1977, (1977 Resurfacing) in the amount of $22,312.57, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-288-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-17

SPECIAL ORDINANCE NO. S-289-77

AN ORDINANCE approving a contract with
Continental Construction Company, Inc.,
for Improvement Resolution No. 5775-77-
East Central Impact Area, Phase II.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 5, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Continental Construction Company, Inc., for:

Resolution No. 5775-1977: To improve the curb and sidewalk on Summit Street from east property line of Cedar Street to the east property line of Division Street (both sides), Division Street from the north property line of Lewis Street to the north property line of Oak Street (both sides), and Harmar Street from the north property line of Lewis Street to the south property line of Madison Street (both sided). EAST CENTRAL IMPACT AREA, PHASE II.

for a total cost of $115,121.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-289-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-18

SPECIAL ORDINANCE NO. S-290-77

AN ORDINANCE approving a contract with
Hefner Chevrolet, Inc., for (1) 4 door
Sedan (Malibu).

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 16, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hefner Chevrolet, Inc., for:

1 4-door 1978 Malibu Sedan

TOTAL: $4,640.56

all as more particularly set forth on City Utilities Purchase Order No. 9445, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-290-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-19

SPECIAL ORDINANCE NO. S-291-77

AN ORDINANCE approving a contract with
Hoosier Ford Inc., for 2 cars for the Water
Maintenance & Service Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated November 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hoosier Ford Inc., for:

2 each Compact Station Wagons (1978) Ford Pinto

TOTAL: $7,252.72

all as more particularly set forth on City Utilities Purchase Order No. 9426, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-291-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-20

SPECIAL ORDINANCE NO. S-292-77

AN ORDINANCE approving Change Order No. 1
in connection with Project No. 76-XP-5 -
Connecting Feeder Main.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Bercot, Inc. in connection with Project No. 76-XP-5 - Dunkleberg Road Connecting Feeder Main in the amount of $6,728.18, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-292-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-21

SPECIAL ORDINANCE NO. S-293-77

AN ORDINANCE approving Change Order
No. 1 in connection with Project No. 77-XP-1
Getz Road Connecting Feeder Main.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Nobis Construction Company, Inc. in connection with Project No. 77-XP-1 Getz Road Connecting Feeder Main in the amount of $2,180.00, as set out in the specificiations, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PAUL M. BURNS
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Nuckols, V. Schmidt, D. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-293-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-22

SPECIAL ORDINANCE NO. S-294-77

AN ORDINANCE approving a contract with
Motorola for materials for Water Engineering
Department (Radio Shop).

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 6, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Motorola, for:

2 Motorola, Mod MX-350, 6 Channel, 5 Watt Handy-Talkies, each complete with charger and extra battery.

TOTAL: $3,750.00

all as more particularly set forth on City Utilities Purchase Order No. 9438, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, V. Schmidt, D. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-294-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-12-28

GENERAL ORDINANCE NO. G-47-77

A GENERAL ORDINANCE TRANSFERRING
CERTAIN FUNDS IN THE 1977 BUDGET

WHEREAS, there are insufficient funds in Motor Equipment in the 1977 Budget of CD&P Department, in Legal Services Account in the 1977 Budget of City Clerk's Office, Printing Other Than Office Supplies, in the 1977 Budget of the City Clerk's Office, Telephone & Telegraph in the 1977 Budget of the Controller's Department; and

WHEREAS, there are sufficient funds in Salaries Regular Account for said expenses.

NON THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $5,000.00 is hereby transferred from Account No. 10-680-111, Salaries Regular, to Account No. 10-680-722, Motor Equipment, in the 1977 Budget of the CD&P Department.

That the sum of $2,056.61 is hereby transferred from Account No. 10-650-111, Salaries Regular, to Account No. 10-650-269, Legal Services, in the 1977 Budget of the City Clerk's Office.

That the sum of $2,366.55 is hereby transferred from Account No. 10-650-111, Salaries Regular, to Account No. 10-650-241, Printing Other Than Office Supplies, in the 1977 Budget of the City Clerk's Office.

That the sum of $14,000.00 is hereby transferred from Account No. 10-620-111, Salaries Regular, to Account No. 10-620-214, Telephone & Telegraph, in the 1977 Budget of the Controller's DEpartment.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Nuckols, Stier, Talarico
Nays: None
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General ORdinance No. G-47-77 on the 27th day of December, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of January, 1978, at the hour of 4:45 P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-12-26

RESOLUTION NO. R-68-77

A RESOLUTION TRANSFERRING CERTAIN
FUNDS IN THE 1977 BUDGET OF THE FIRE
DEPARTMENT

WHEREAS, there are insufficient funds within the various accounts of the Fire Department's Budget for the remainder of 1977; and

WHEREAS, there are sufficient funds in the Other Garage & Motor Supplies, Clothing Allowance, Oil and Fuel Oil Accounts for said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of $260.00 is hereby transferred from Account No. 10730324, Other Garage & Motor Supplies, to Account No. 10730213, Travel in the 1977 Budget of the Fire Department.

That the sum of $600.00 is hereby transferred from Account No. 10730324, Other Garage & Motors Supplies, to Account No. 10730241, Printing Other Than Ofc. Supplies, in the 1977 Budget of the Fire Department.

That the sum of $1,800.00 is hereby transferred from Account No. 10730324, Other Garage & Motor Supplies, to Account No. 10730320, Diesel Fuel, in the 1977 Budget of the Fire Department.

That the sum of $3,500.00 is hereby transferred from Account No. 10730324, Other Garage & Motor Supplies, to Account No. 10730321, Gasoline, in the 1977 Budget of the Fire Department.

That the sum of $2,800.00 is hereby transferred from Account No. 10730324, Other Garage & Motor Supplies, to Account No. 10730331, Household, Laundry in the 1977 Budget of the Fire Department.

That the sum of $500.00 is hereby transferred from Account No. 10730324, Other Garage & Motor Supplies, to Account No. 10730363, Other Ofc. Supplies, in the 1977 Budget of the Fire Department.

That the sum of $500.00 is hereby transferred from Account No. 10730324, Other Garage & Motor Supplies, to Account No. 10730410, Bldg. Materials, in the 1977 Budget of the Fire Department.

That the sum of $1,900.00 is hereby transferred from Account No. 10730540, Clothing Allowance, to Account No. 10730214, Telephone & Telegraph, in the 1977 Budget of the Fire Department.

That the sum of $300.00 is hereby transferred from Account No. 10730540, Clothing Allowance, to Account No. 10730323, Tires & Tubes, in the 1977 Budget of the Fire Department.

That the sum of $200.00 is hereby transferred from Account No. 10730322, Oil, to Account No. 10730212, Postage, in the 1977 Budget of the Fire Department.

That the sum of $565.00 is hereby transferred from Account No. 10730322, Oil, to Account No. 10730243, Photography & Blueprinting, in the 1977 Budget of the Fire Department.

That the sum of $400.00 is hereby transferred from Account No. 10730312, Fuel Oil, to Account No. 10730252 Repair of Equipment, in the 1977 Budget of the Fire Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hinga, Hunter, Stier, Talarico
Nays: ONe
Nuckols
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Reaolution No. R-68-77 on the 27th day of December, 1977.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of January, 1977, at the hour of 4:45 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-12-36

RESOLUTION NO. R-LOST

A RESOLUTION PROPOSING THE PROHIBITION
OF THE USE OF MONEY RAISED FROM CITY
TAXES FROM USE IN SUPPORT OF
CIVIC AND CONVENTION CENTER

WHEREAS, the Redevelopment Commission has been developing a plan for revitalization of downtown Fort Wayne for the past several months; and,

WHEREAS, included in the proposed development plan is a Civic and Convention Center; and,

WHEREAS, it is the desire of the Common Council of the City of Fort Wayne that the said Civic and Convention Center be operated without resort to the sue of funds from the levy of taxation for the City of Fort Wayne.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That after construction of the Civic and Convention Center no funds from the General Tax Levy for the City of Fort Wayne, Indiana shall ever be used for the maintenance and support of said Civic and Convention Center.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Burns, Hlnga, Stir, Talarico
Nays: Two
Hunter, Nuckols
Absent: Three
Moses, D. Schmidt, V. Schmidt

Date: 12-27-77

Charles W. Westerman
City Clerk

BlLL NO. S-77-12-05

SPECIAL ORDINANCE NO. S-01-78

AN ORDlNANCE authorizing the issuance and sale of $765,000.00 First Mortgage Revenue Bonds, Series 1977, Fort Wayne Racquet Ball Associates, an Indiana Limited Partnership, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Fort Wayne Racquet Ball Associates, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Economic Development Commission has developed and filed with the City Plan Commission and the Allen County Plan Commission a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be contructed for Fort Wayne Racquet Ball Associates and the City Clerk has presented the same to the Common Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and contstruction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted a resolution approving the financing of said economic development facilities as described in said Report to be financed by the issuance and sale of revenue bonds to the City of Fort Wayne and the lease of said facilities to Fort Wayne Racquet Ball Associates, Lessee, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of IC 1971, 18-64.5-1 - 18-6-4.5-29; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Economic Development Commission together with the comments thereon by the City Plan Commission and the County Plan Commission be accepted and ordered filed.

SECTION 2. That the Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Economic Development Commission.

SECTION 3. The financing of the acquisition and contruction of the economic development facilities by the issuance and sale of First Mortgage bonds of the City of Fort Wayne and the lease of said facilities to Fort Wayne Racquet Ball Associates as previously approved by the Fort Wayne Economic Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTlON 4. The form of the Lease Agreement and the Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in IC 1971, 18-6-4.5-1 18-64.5-29. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds in the total principal amount of $765,000.00 for the purpose of providing funds to acquire and construct and project and lease the same to Fort Wayne Racquet Ball Associates, Lessee, (all as more particularly set out in the Lease Agreement and Mortgage and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Lessee pursuant to the provisison of the financing agreement and other sources as provided in the Lease Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 9% per annum and at a price of 100% of the principal amount of such bonds. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of the company to assist in the sale of such bonds.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other documents which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to deliver such bonds to the Trustee named on the Mortgage and Indenture of Trust for delivery to the purchasers therefor, payment for which shall be made to the Trustees named in the Mortgage and Indenture of Trust.

SECTION 8. The provision of this Ordinance and the Mortgage and Indenture of Trust securing such bonds shall constitute a contract binding between the City of Fort Wayne Economic Development First Mortgage Revenue Bonds, Series 1977 Fort Wayne Racquet Ball Associates, Lessee, and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-01-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-24

SPECIAL ORDINANCE NO. S-02-78

AN ORDINANCE approving an Agreement to

purchase Real Estate from Mildred B. Greulach for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated November 30, 1977, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mildred B. Greulach, for

3417 Lillie Street, Fort Wayne, Indiana
Lot #12 South Anthony Blvd. Addition

for a total cost of $3,715.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-02-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-05

RESOLUTION NO. R-01-78

A RESOLUTION authorizing payment to James
Auto and Truck Sales for repair of Board
of Public Vehicle

WHEREAS, the Board of Public Safety's vehicle, a 1976 Ford Van, License No. MO 12497, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, James Auto and Truck Sales has submitted an estimate in the amount of $453.41 for the repair of said vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $453.41 to James Auto and Truck Sales for the repair of the 1976 Ford Van, License No. MO 12497.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-01-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-06

RESOLUTION NO. R-02-78

A RESOLUTION authorizing the temporary advancement of funds from the Revenue Sharing Trust Fund, Motor Vehicle Highway Fund, Local Road & Street Fund and Fort Wayne Firefighting Fund to the General Fund for the period ending December 31, 1978

WHEREAS, it has become necessary to borrow money to enhance the depleted General Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of Revenue Sharing Trust Fund, Motor Vehicle Highway Fund, Local Road and Street Fund and Fort Wayne Firefighting Fund of the City of Fort Wayne which can be temporarily advanced or transferred to said General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

That the Controller of the City of Fort Wayne be and is hereby authorized to transfer the sum of $4,200,000.00 to the General Fund from the following Funds if and when needed:

Revenue Sharing Trust Fund	$2,500,000.00
Motor Vehicle Highway Fund	800,000.00
Local Road & Street Fund	800,000.00
Fort Wayne Firefighting Fund	100,000.00
Total of Transfer	$4,200,000.00

which said sum shall be returned and repaid to the aforementioned funds on or before December 31, 1978.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-02-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-21

RESOLUTION NO. R-03-78

A RESOLUTION IN SUPPORT OF REQUEST FOR
ACTION BY CIVIL RIGHTS DIVISION OF
OFFICE OF REVENUE SHARING
REGARDING AFFIRMATIVE ACTION

WHEREAS, heretofore on October 28, 1977 the President of the Common Council of the City of Fort Wayne requested a Revenue Sharing Compliance Review by the Secretary of the Treasury; and,

WHEREAS, on November 16, 1977 the Civil Rights Division of the Office of Revenue Sharing assured said President that it was taking appropriate action to ensure that rules and regulations pertaining to said Revenue Sharing funds are followed.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Common Council of the City of Fort Wayne, Indiana does hereby request a continuation of the investigation by the Civil Rights Division of the Office of Revneue Sharing so as to ensure that the rules and regulations as to Affirmative Action governing expenditures of Revenue Sharing funds as followed.

Donald Schmidt Councilman

John Nuckols
John Nuckols Councilman

Winfield C. Moses, Jr.
Winfield Moses Councilman

Paul Burns Councilman

Vivian G. Schmidt
Vivian SchmidtCouncil Person

William T. Hinga Councilman

James S. Stier
James S. Stier Councilman

Fred Hunter Councilman

Samuel J. Talarico Samuel J. Talarico Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt,
Absent: ONe
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-03-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

BILL NO. Z-77-10-10

ZONING MAP ORDINANCE NO. Z-01-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R 34 - Q 34.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. P 34 - Q 34, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

RIVERSIDE PLACE EAST PARCEL

Part of the fractional Northwest quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Section 19, said point indicated by a brass plug situated on the centerline of the St. Joseph Center Road; thence South 00 degrees 37 minutes West (based on deed bearing for the Wabash & Erie Canal Feeder) on the range line a distance of 45.0 feet to the South right-of-way line of the St. Joseph Center Road as established by Indiana Project S728 (1) 1961; thence South 89 degrees 50 min utes East along the South right-of-way of said St. Joseph Center Road as situated 45.0 feet normally distant South of said Road centerline and established by Highway right-of-way grant as re corded in Deed Record 591, pages 156-157, in the Office of the Recorder of said County, a distance of 1152.24 feet to the point of beginning; thence continuing South 89 degrees 50 minutes East along the said South right-of-way line a distance of 1158.66 feet to the West line of the former Wabash & Erie Feeder Canal, now an Indiana and Michigan Electric Company right-of-way; thence along the West line of the aforesaid right-ofway by the following described courses: South 44 degrees 48 minutes 00 seconds West a distance of 91.80 feet; thence South 57 degrees 31 min utes 00 seconds West a distance of 112.05 feet; thence North 89 degrees 24 minutes 00 seconds West a distance of 173.30 feet; thence South 72 degrees 46 minutes 00 seconds West a distance of 101.40 feet; thence South 18 degrees 56 minutes 00 seconds West a distance of 118.75 feet; thence South 55 degrees 17 minutes 00 seconds West a distance of 165.25 feet; thence South 39 degrees 22 minutes 00 seconds West a distance of 151.65 feet; thence South 33 degrees 47 minutes 00 seconds West a distance of 94.80 feet; thence 19 degrees 45 minutes 00 seconds West a distance of 215.50 feet; thence South 21 degrees 41 minutes 25 seconds West

a distance of 136.91 feet; thence leaving the said West right-of-way line North 68 degrees 18 minutes 35 seconds West a distance of 591.33 feet to the Easterly most corner of Lot #15 in Paper mill Bluffs, Section 1, a subdivision in the aforesaid Section, Township, and Range; thence North 21 degrees 41 minutes 25 seconds East a distance of 722.00 feet to the point of beginning containing 13.63 acres more or less.

RIVERSIDE PLACE WEST PARCEL
LEGAL DESCRIPTION OF A 6.81 ACRE TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA

A part of the Northwest quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows: Commencing at a brass pin at the Northwest corner of Section 19, Township 31 North, Range 13 East, said corner also being the centerline of St. Joe Center Road; thence South 00 degrees 38 minutes 14 seconds West along THE West line of the said Northwest quarter a distance of 45.00 feet to a point on the South line of the highway right-of-way grant as recorded in Deed Record 591, pages 156-157, in the Office of the Recorder, Allen County, Indiana; thence South 89 degrees 50 minutes 00 seconds East (assumed) along the South line of said road right-of-way a distance of 181.56 feet to the point of beginning said beginning point being the Northeast corner of Lot #4, Papermill Bluffs, Section I, an addition to the City of Fort Wayne, Indiana, in the Northeast quarter of Section 24, Township 31 North, Range 12 East, and the Northwest quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana; thence continuing South 89 degrees 50 minutes 00 seconds East along the said South right-of-way a distance of 970.68 feet to the Northwest corner of property conveyed from Esther and Edwin Rodenbeck and Mildred and Edgar Kruse to Northill Corp. as recorded in Document #71-24127 in the Office of the Recorder Allen County, Indiana; thence South 21 degrees 41 minutes 25 seconds West along the Northwesterly line of the Northill Tract a distance of 722.00 feet to the Northeast corner of Lot #15 in Papermill Bluffs, Section 1; thence along the Northerly boundary of Papermill Bluffs, Section I, by the following described courses: North 34 degrees 14 minutes 00 seconds West a distance of 337.39 feet; thence North 54 degrees 02 minutes 02 seconds West a distance of 542.88 feet; thence North 44 degrees 30 minutes 46 seconds West a distance of 106.46 feet to the point of beginning containing 6.81 acres more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-01-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-11-29

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. S14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #3 Clarmarnic Manor

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. LOSTby the following vote:

Ayes: None
Nays: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

BILL NO. Z-77-11-30

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 3 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. K3, referred therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

All that certain tract or parcel of land and premises hereinafter particularly described, situate and lying and being in the City of Fort Wayne, County of Allen, State of Indiana:

Lot Numbered Four (4) and the South 43 feet of Lot Numbered Three (3) in Suter's South Broadway Addition to the Town of South Wayne, now in the City of Fort Wayne, according to the recorded plat of said Addition, and in particular described as follows, towit:

Commencing at the southwest corner of said Lot 4 as defined by the point of intersection of the North R/W line of Grace Avenue by the east R/W line of Broadway as in

the said plat recorded; thence running north on the west line of said Lots 3 and 4 and coincident with the said Broadway east R/W line a distance of 108 feet; thence eastward on a line parallel to the said Grace Avenue north R/W line, by a deflection right of 91 degrees 03 minutes, a distance of 155.6 feet to the West R/W line of an alley as in the said plat recorded; thence south along the east line of said Lots 3 and 4 and coin-cident with said alley west R/W line, by a deflection right of 88 degrees 57 minutes, a distance of 108 feet to the southeast corner of said Lot 4 as situated at the point of intersection of the said alley west R/W line and the said Grace Avenue north R/W line; thence west along the south line of said Lot 4 and coincident with said Grace Avenue north R/W line, by a deflection right of 91 degrees 03 minutes a distance of 155.6 feet to the place of beginning; containing 16,804.8 square feet; together with all rights, reversionary or otherwise, in abutting streets and alleys.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

BILL NO. G-76-09-13 (As Amended)

GENERAL ORDINANCE NO. G-01-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain utility easement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain utility easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53744), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following utility easement, to-wit:

The north 14 feet of Block "G" in Indian Hills Extended, except the West 218.8 feet of Block "G" and the East 3 feet of Block "G", as recorded in Plat Book 23, Page 34

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-01-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-12-10

GENERAL ORDINANCE NO. G-02-78

AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1976

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Tht Chapter 17, Article IV, Division 2, Section 39 be and the same is hereby amended by adding to Schedule 2 in the Office of the City Clerk the following:

SPEED LIMIT 40 MPH

STREET	FROM	TO
Old Illinois Rd.	Jefferson Blvd.	Illinois Rd. (Old S.R. 14)

SECTION 2. That Chapter 17, Article IV, Division 4, Section 46 be and the same is hereby amended by adding to Schedule 3 in the Office of the City Clerk the following:

ONE WAY STREET

STREET	DIRECTION	FROM	TO
Summit St.	westbound	McCulloch St.	Division St.

SECTION 3. That Chapter 17, Article IV, Division 4, Section 46 be and the same is hereby amended by deleting therefrom Sechdule 3 in the Office of the City Clerk the following:

ONE WAY STREET

STREET	DIRECTION	FROM	TO
College St. Blvd.	southbound	Berry St.	Washington

SECTION 4. That Chapter 17, Article IV, Division 5, Section 49 be and the same is hereby amended by adding to Schedule 5 in the Office of the City Clerk the following:

STOP INTERSECTION

West Lafayette Esplanade	-stop--	for Congress Ave.
Congress Ave.	--stop--	for East Lafayette Esplanade
Sherwood Terrace	--stop--	for West Lafayette Esplanade
East Lafayette Esplanade	--stop--	for Sherwood Terrace
West Lafayette Esplanade	--stop--	for Fleming Ave.
Fleming Ave.	--stop--	for East Lafayette Esplanade
Calumet Ave.	--stop--	for Fleming Ave.
Columbia Ave.	--stop--	for Kensington Blvd.
Rumsey Ave.	--stop--	for Richardson St.
Dalman Ave.	--stop--	for Warsaw St.
Illinois St.	--stop--	for Greenwood Ave.
Bevel Ave.	--stop--	for Brown St.
Bevel Ave.	--stop--	for Eby Ave.

SECTION 5. That Chapter 17, Article VII, Division 2, Section 90 be and same is hereby amended by adding to Schedule 7 in the Office of the City Clerk the following:

NO PARKING

STREET	SIDE	FROM	TO
Wilt St.	north	Broadway	Nelson St.
Fairfield Ave.	west	Wayne St.	Washington Blvd.
Brackenridge St.	both	Calhoun St.	Clinton St.
Douglas Ave.	both	Calhoun St.	Clinton St.
Berry St.	north	Maiden Lane	Ewing St.

SECTION 6. That Chapter 17, Article VII, Division 2, Section 90 be and the same is hereby amended by deleting therefrom Schedule 7 in the Office of the City Clerk the following:

NO PARKING

STREET	SIDE	FROM	TO
Wilt St.	south	Broadway	Nelson St.

SECTION 7. That Chapter 17, Article VII, Division 2, Section 93 (b) be and the same is hereby amended by adding to Schedule 11 in the Office of the City Clerk the following:

90 MINUTE PARKING 8:00 AM to 6:00 PM EXCEPT SATURDAY AND SUNDAY

STREET	SIDE	FROM	TO
Leroy Ave.	both	Lynn Ave.	Dodge Ave.
Lynn Ave.	both	Leroy Ave.	Carew St.

SECTION 8. That Chapter 17, Article VII, Division 2, Section 93 (b) be and the same is hereby amended by deleting therefrom Schedule 11 in the Office of the City Clerk the following:

90 MINUTE PARKING 8:00 AM to 6:00 PM EXCEPT SATURDAY AND SUNDAY

STREET	SIDE	FROM	TO
Douglas Ave.	both	Webster St.	McClellan St.
Baker St.	north	Harrison St.	Webster St.

SECTION 9. That Chapter 17, Article VII, Division 2, Section 93 (c) be and the same is hereby amended by deleting therefrom Schedule 12 in the Office of the City Clerk the following:

TWO HOUR PARKING 8:00 AM 6:00 PM

STREET	SIDE	FROM	TO
Webster St.	west	Douglas	Baker St.

SECTION 10. That Chapter 17, Article VII, Division 2, Section 93 (e) be and the same is hereby amended by adding to Schedule 14 in the Office of the City Clerk the following:

30 MINUTE PARKING 8:00 AM 6:00 PM

STREET	SIDE	FROM	TO
Wallace St.	north	150' E/Lafayette Street	65' East Thereof

SECTION 11. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as GEneral Ordinance No. G-02-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-31

SPECIAL ORDINANCE NO. S-03-78

AN ORDINANCE approving a contract with
L. W. Dailey, Inc., for Resolution No.
5772-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 14, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L. W. Dailey, Inc., for:

Resolution No. 57721977: To construct sidewalk and curb to grade on Lincoln Court approximately 250 feet around cul-de-sac. Resurface entire court to Goshen Road.

for a total cost of $8,907.50, of which will be paid under Barrett Law (by the property owners), all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-03-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-32

SPECIAL ORDINANCE NO. S-04-78

AN ORDINANCE approving Change Order No. 1 in connection with Resolution No. 290-1977 Project No. C-180839-01 - N. Maumee River Sanitary Interceltor

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Bercot, Inc., in connection with Resolution No. 2901977, Project No. C180083901 N. Maumee River Sanitary Interceptor in the amount of $6,406.00 from LPW RD II Grant & City Utilities, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Nuckols , seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-04-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-33

SPECIAL ORDINANCE NO. S-05-78

AN ORDINANCE approving a contract with T & F Construction Corp. of Indiana, for EDA Project No. 06-51-26289, Resolution No. 125-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 14, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T & F Construction Corp. of Indiana, for:

EDA Project No. 065126289 Resolution No. 12577

CENTRAL BUSINESS DISTRICT LIGHTING & SIGNAL MODERNIZATION.

for a total cost of $1,545,964.44, to be paid out of the LPW RD II Fund Grant, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-05-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-34

SPECIAL ORDINANCE NO. S-06-78

AN ORDINANCE approving Change Order No. 17 in conenction with Job No. 3263. 8D - Division 1 - Water Pollution Control Plant Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 17 to HagermanShambaugh Joint Bidders in connection with Job No. 3263.8D Division I Water Pollution Control Plant Additions in the amount of $25,738.00 from Federal Funds, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 1-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-06-78 on the 10th day of January, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1978 at the hour of 3:00 o'clcok P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of January, 1978, at the hour of 6:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-03

SPECIAL ORDINANCE NO. S-07-78

AN ORDINANCE approving an Agreement to Purchase Real Estate from Interim Investments, Inc., for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated December 21, 1977, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Interim Investments, Inc., for:

E. 30 1/2 of W 60 2/3 of Fifth Street Lot
1, Hanna S. Out Lots Addition

for the total cost of $4,600.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-07-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-04

SPECIAL ORDINANCE NO. S-08-78

AN ORDINANCE approving a contract with
W.A. Sheets, Inc., Shambaugh & Son, Inc.,
and A. Hattersley & Sons, Inc. for restoration
of the "Old City Hall".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and W.A. Sheets, Inc., Shambaugh & Son, Inc., and A. Hattersley & Sons, Inc., for:

W.A. SHEETS, INC.

EDA PROJECT NO. 065126917 RESOLUTION NO. 65-125-6

Restoration of the City Building, "Old City Hall" General Construction Work including Alternates G3, G4 G5 and G6 and the deletion of Allowances A,B,C, & E.

$362,429.00

SHAMBAUGH & SON, INC.

EDA PROJECT NO. 0651-26917 RESOLUTION NO. 651256

Restoration of the City Building, "Old City Hall" Electric Construction work including Alternates E-2 and E-3.

$76,652.00

A HATTERSLEY & SONS, INC.

EDA PROJECT NO. 065126917 RESOLUTION NO. 65-125-6

Restoration of the City "Old City Hall" Mechanical Construction Work including Alternates M-2 and M-3.

$171,550.00

for a total cost of $610,631.00, of which $350,000.00 will be paid from the LWP RD II and the balance to be paid by the Fort Wayne Historical Society, all as more particularly set forth in said contracts which are on file in the Office of the Board of Public Works and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-08-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-25

RESOLUTION NO. R-04-78

A RESOLUTION authorizing payment to
Northway Chrysler Plymouth and Allen
County Motors for repair of Board of
Public Safety Vehicles

WHEREAS, the Board of Public Safety's Police Vehicle, a 1976 Ford, 2 door, License No. M011111, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount $118.30 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's Police Vehicle, a 1973 Plymouth sedan, License No. 49P6341, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $191.40 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $118.30 to Northway Chrysler Plymouth for the repair of the 1976 Ford, 2 door, License No. MO11111.

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $191.40 to Allen County Motors for the repair of the 1973 Plymouth sedan, License No. 49P6341.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-04-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-26

RESOLUTION NO. R-05-78

A RESOLUTION authorizing payment to
Northway Chrysler Plymouth for repair
of Board of Public Safety Vehicle

WHEREAS, the Board of Public Safety's police vehicle, a 1977 Plymouth, 4 door, License No. 11105, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $181.38 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $181.38 to Northway Chrysler Plymouth for the repair of the 1977 Plymouth, 4 door, License No. 11105.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-05-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-27

RESOLUTION NO. R-06-78

A RESOLUTION authorizing payment to
Murray Equipment for repair of Board
of Public Safety gasoline provers

WHEREAS, the Board of Public Safety's gasoline provers were damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Murray Equipment has submitted an estimate in the amount of $94.90 for the repair of said gasoline provers.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $94.90 to Murray Equipment for the repair of the gasoline provers.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-06-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-28

RESOLUTION NO. R-07-78

A RESOLUTION approving the Budget of
Fort Wayne and Allen County Convention
and Tourism Authority for 12-month
Period Beginning January 1, 1978 and
Ending December 31, 1978

WHEREAS, the Board of Managers of Fort Wayne and Allen County Convention and Tourism Authority has prepared and has submitted to the Common Council of the City of Fort Wayne its budget for the calendar year 1978 covering projected operating expenses, estimated income totally from Hotel room tax and a reserve fund, all as more particularly hereinafter set forth; and

WHEREAS, Burns Inc. Rev. Stat. 26-238, 1972 Cum. Poc. Supp. requires not only the County Council but also the Common Council of the City of Fort Wayne to review, approve or reject same; and

WHEREAS, the Common Council of the City of Fort Wayne has reviewed said 1977 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following proposed budget for the 12 month period beginning January 1, 1978 and ending December 31, 1978 of Fort Wayne and Allen County Convention and Tourism Authority, which reads as follows:

INCOME			
Estimated Income 1978			$300,000.00
Interest Income			100,000.00
			$400,000.00
BUDGETED EXPENSES			
Consulting Fees/Expenses Incidental to Land Acquisition & Presentation of Project		$100,000.00	
Administrative Expenses Rent, salaries, fulltime Executives, etc.	40,000.00		
Attorney's fees		10,000.00	
Miscellaneous Expenses Travel, Office supplies, etc.		10,000.00	
Total Budget Requested			$160,000.00
TOTAL NEW FUNDS REQUIRED		$160,000.00	

is hereby approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-07-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-11-31

SPECIAL ORDINANCE NO. S-LOST

AN ORDINANCE approving a petition for
street name change

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the portion of Spy Run Avenue Extended, extending from the eastern right-of-way of the intersection of Spy Run Avenue and Clinton Street, (The Old Centlivre Brewery), extending north along the St. Joe River, to the western right-of-way of Parnell Avenue, where the street presently dead-ends at the entrance to the Johnny Appleseed Graveside, be and the same is hereby changed to JOHNNY APPLESEED DRIVE.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by D. Schmidt, seconded by Hunter and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Hunter, Moses, D. Schmidt, V. Schmidt
Nays: Five
Burns, Hunga, Nuckols, Stier, Talarico

Date: 1-24-78

Charles W. Westerman
City Clerk

BILL NO. Z-77-11-02

ZONING MAP ORDINANCE NO. Z-02-78

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. N19

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby PERFECTED TO AN "R3" District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. N19, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots # 35, 49, 50, 51, 52, 53, & 54 Southern Heights Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: Two
Burns, Stier
Abstained: One
Moses

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-02-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-08

SPECIAL ORDINANCE NO. S-09-78

AN ORDINANCE approving a contract with L.W. Dailey, Inc., for Resolution No. 5786-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L.W. Dailey, Inc., for:

Resolution No. 57861977: To improve concrete pavement adjacent to and fronting property - 2305, 2207, and 2215 Springfield Avenue.

for a total cost of $6,585.00, which will be paid from MVH Funds, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-09-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-09

SPECIAL ORDINANCE NO. S-10-78

AN ORDINANCE approving a contract with
Servelect, Inc., for Resolution No. 5782-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Servelect, Inc., for:

> Resolution No. 578277: To improve the Street Department Inside Storage Garage with electrical lighting, outlets, and related facilities. This building is located at the Lafayette Street Complex; more particularly, lots 132, 133, and 134 Lewis Addition.

for a total cost of $4,608.00, to be paid from Anti Recessionary Funds, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-10-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-10

SPECIAL ORDINANCE NO. S-11-78

AN ORDINANCE approving Change Order No. 1 in connection with Resolution No. 5754-77 - 1977 Resurfacing - North Washington Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Wayne Asphalt and Construction Co., Inc. in connection with 1977 Resurfacing, North Washington Road in the amount of $18,087.75, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols , seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hunter, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-11-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-11

SPECIAL ORDINANCE NO. S-12-78

AN ORDINANCE approving a contract with
John Dehner, Inc., for Resolution No.
577877

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and John Dehner, Inc., for:

Resolution No. 577877: To improve Stratton Road
from the east property line of Coldwater Road to
a point 284 feet east thereof.

for a total cost of $32,628.47, of which will be paid under Barrett Law (By property owners), all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-12-78 on the 24th day of January, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-12

SPECIAL ORDINANCE NO. S-13-78

AN ORDINANCE approving a contract with
Continental Construction Company, Inc.,
for Resolution No. 5781-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Continental Construction Company, Inc.,

for:

Resolution No. 57811977: (West Central Phase II)

Repair curbs and sidewaalks in an area comprised of Swinney Place west from the south property line of Swinney Park Place north to 145 ft. south of said south property line; Swinney Park Place north from east property line of Swinney Park Place west to the west property line of Garden St.; Garden St. from south property line of Jones St. to the south property line of Jefferson St.; Nelson St. from north property line of Jones St. to the south property line of Jefferson St.; College St. from north property line of Jones St. to a point approximately 150 feet north of said north property line; Rockhill Street from a point approximately 100 feet south of south property line of Jones St. to the south property line of Lavina St.; Union St. from south property line of Leykauf St. to the south property line of Lavina St.; Lavina St. from east property line of Rockhill St. to its west end; Jones St. from west property line of Rockhill St. to east property line of Garden St.

for a total cost of $27,312.60, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-13-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-13

SPECIAL ORDINANCE NO. S-14-78

AN ORDINANCE approving a contract with
T-G Excavating, Inc., for sewer improvement
resolution no. 299-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and TG Excavating, Inc., for:

Beginning at an existing sanitary sewer manhole located on the Southeast corner of Lot #271 of Eastland Gardens Addition, Sec. "B", as recorded in Plat Book 24, Page 108; thence due South 85 ± LF to a proposed manhole located 43 ± LF South of and 30 ± LF West of the intersection Autumn View Drive and Tillman Road; thence East 400 ±LF terminating at a proposed manhole located 370 ±LF East of and 43 ± LF South of the intersection of Autumn View Drive and Tillman Road.

Said sewer shall be 12" in diameter.

for a total cost of $16,295.60, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-14-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-14

SPECIAL ORDINANCE NO. S-15-78

AN ORDINANCE approving Change Order No. 3 in connection with N. Maumee River Sanitary Inter. Sect. I, Resolution No. 290-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 to John Dehner, Inc. in connection with Project No. C18083901, N. Maumee River Sanitary Inter. Sect. I, Resolution No. 29077 in the amount of $47,702.76, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-15-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-15

SPECIAL ORDINANCE NO. S-16-78

AN ORDINANCE approving a contract with
Rieth-Riley Construction Co., Inc., for
Resolution No. 5767-77

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and RiethRiley Construction Co., Inc., for:

Resolution No. 576777: To improve Clinton Street
from a point 121 feet south of the centerline of
Superior Street north to the centerline of Calhoun Street

for a total cost of $315,086.60, to be paid from State Highway Funds and L R & S Funds, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-16-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-16

SPECIAL ORDINANCE NO. S-17-78

AN ORDINANCE approving contracts with International Harvester and W. A. Jones & Son for materials for Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and International Harvester, for:

1 Tandem Dump Truck 1978 International F1800

TOTAL: $16,500.00

all as more particularly set forth on City Utilities Purchase Order No. 9542, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That the contract dated December 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and W.A. Jones & Son, for:

1 Dump Body & Hoist (Mounted) $4,063.00

all as more particularly set forth on City Utilities Purchase Order No. 9543, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-17-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-17

SPECIAL ORDINANCE NO. S-18-78

AN ORDINANCE approving a contract with
Double Envelope for materials for Office
Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 19, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Double Envelope, for:

750M	Window Envelopes	$6,217.50
750M	Remittance Envelopes	4,702.50
	TOTAL	$10,920.00

all as more particularly set forth on City Utilities Purchase Order No. 9544, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-18-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-18

SPECIAL ORDINANCE NO. S-19-78

AN ORDINANCE approving a contract with
T-G Excavating Inc., for construction of
Tillman Rd. - Hessen Cassel Rd. Water
Main Adjustments

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T-G Excavating Inc., for:

> Contractor shall furnish all labor, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for the lowering of 2550+ Ft. of 16" water main in Tillman Road and Hessen Cassel Road, for the lowering of 100 ± Feet of 8" water main on Autumn View Drive, and for the construction of 140 ± ft. of 6" water main pipe on Bauer Drive, all according to Fort Wayne Water Utility Drawing Y-10512, sheets 1 thru 7, and do everything required by the contract documents and this Agreement.

for a total cost of $79,932.00, to be reimbursed later from A R & S #33 Highway Funds, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-19-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-19

SPECIAL ORDINANCE NO. S-20-78

AN ORDINANCE approving a contract with
Hoosier Ford, Inc. for One 1978 Ford
LTD for Water Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 22, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Works and Hoosier Ford, Inc., for

One 1978 Ford LTD II Four Door Sedan $4,791.29

all as more particularly set forth on City Utilities Purchase Order No. 9665, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-20-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-01-20

GENERAL ORDINANCE NO. G-03-78

AN ORDINANCE changing Councilmanic
District from No. 3 to Councilmanic District
No. 4 for the area described in
Annexation Ordinance No. X-09-68

WHEREAS, Annexation Ordinance No. X0968 (X-09-68) was passed by the Common Council of the City of Fort Wayne, Indiana on July 23, 1968; and

WHEREAS, General Ordinance No. G10270 (G-102-70), an ordinance amending Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by Ordinance G18 (G-18) (1957) and G3365 (G-33-65) (Councilmanic Districts), was passed and adopted by the Common Council of the City of Fort Wayne, Indiana on November 24, 1970; and

WHEREAS, General ORdinance No. G10270 changed the Councilmanic District from No. 3 to No. 4 for the area east and contigious to Annexation Ordinance No. X0968.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF TE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described in Annexation Ordinance No. X0968 shall be a part of Councilmanic District No. 4 instead of Councilmanic District No. 3.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-03-78 on the 24th day of January, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-23

SPECIAL ORDINANCE NO. S-21-78

AN ORDINANCE approving blanket purchase orders for materials for various departments within the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated January 4, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Craft Laboratories, City Utilities Purchase Order No. B-9687 and Civil City Purchase Order No. B401982, and Janitor Supply, City Utilities Purchase Order No. B9688 and Civil City Purchase Order No. B401983, for a blanket order for Car-Truck Wash Materials for 1978, all for an estimated cost of $5,225.00, to be charged against City Utilities Garage, Public Garage, Fire Garage, Park (Lawton) and Traffic as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-21-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-24

SPECIAL ORDINANCE NO. S-22-78

AN ORDINANCE approving blanket purchase
orders for gasoline requirements for 1978
for various departments within the city

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts dated December 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Summit City Standard, Civil City Purchase Order No. B402004 and City Utilities Purchase Order No. B9656, and Smith Petroleum, Civil City Purchase Order No. B402005 and City Utilities Purchase Order No. B9657, and Lassus Brothers, Civil City Purchase Order No. B402006 and City Utilties Purchase Order No. B9658, and Larue Energy, Civil City Purchase Order No. B402007 and City Utilities Purchase Order No. B9659, and Indland Oils, Civil City Purchase Order No. B402008 and City Utilities Purchase Order No. B9660, and Fortmeyers, Civil City Purchase Order No. B402009 and City Utilities Purchase Order No. B9661, and Gladieux Refinery, Civil City Purchase Order No. B402010 and City Utilities Purchase Order No. B9662, for a blanket order for 1978 gasoline requirements, for an estimated cost of $341,844.05 to be charged against CU Garage, Filtration Plant, Water Pollution Control Plant, Park (Lawton), Fire Department and Traffic as the supplies are needed, which said purchase orders are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-22-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-02-06

RESOLUITION NO. R-09-78

A RESOLUTION authorizing payment to
Crescent Electric Supply Co. for replacement
of metal signal pole for the Traffic Engineering
Department

WHEREAS, the Traffic Engineering's Metal Signal Pole, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Crescent Electric Supply Co. has submitted an estimate in the amount of $326.85 for the repair of said signal pole.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $326.85 to Crescent Electric Supply Co. for the repair of the Metal Signal Pole.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Three
Hinga, Moses, Stier

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-09-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-02-07

RESOLUTION NO. R-10-78

A RESOLUTION authorizing the Mayor and Clerk to execute, acknowledge and deliver in the name of and on behalf of the City of Fort Wayne, INdiana, (1) a Release from all obligations of the Trustee under a certain March 1, 1975, Mortgage and Indenture of Trust entered into for the issuance of a $550,000 Economic Development First Mortgage Revenue Bond (Gunnar Elliott Ice Arena, Inc. Project) of the City of Fort Wayne, Indiana, (2) a Release from all lease obligations of Gunnar Elliott Ice Arena, Inc. under a Lease Agreement betweent the City of Fort Wayne, Indiana as Lessor and Gunnar Elliott Ice Arena, Inc. as Lessee, and (3) a Warranty Deed from the City of Fort Wayne of the real estate, machinery and miscellaneous equipment to Lincoln National Bank and Trust Company of Fort Wayne as sole Bondholder.

WHEREAS, on May 20, 1974, by Resolution No. 7421, the Fort Wayne Development Commission of the City of Fort Wayne (the "Commission") adopted a resolution finding that the economic welfare of the City of Fort Wayne Indiana (the"City") would be benefited by the acquisition and leasing to Gunnar Elliott Ice Arena, Inc. (the"GEIA") of economic development facilities and the corresponding issuance of an Economic Development First Mortgage Revenue Bond to finance such acquisition;

WHEREAS, on March 11, 1975, by Resolution No. R1975 and on March 25, 1975, by Resolution No. R3875 the Common Council of the City of Fort Wayne, Indiana (the "Common Council") authorized the issuance of an Economic Development First Mortgage Revenue Bond (Gunnar Elliott Ice Arena, Inc. Project) (the "Bond") in the total principal amount of Five Hundred Fifty Thousand Dollars ($550,000) and the execution of related documents including but not exclusively a Mortgage and Indenture of Trust (the "Indenture") between the City and Lincoln National Bank and Trust Company of Fort Wayne (the "Trustee") and a Lease Agreement (the "Lease") between the City and GEIA:

WHEREAS, the Bond, the Lease and the Indenture were executed March 26, 1975, effective retroactive to March 1, 1975, by the appropriate parties;

WHEREAS, in March, 1977, an event of default occurred under the terms of the Lease and Indenture, notice of which was given to the City and GEIA on April 6, 1977, and subsequently the required payments on the Bond also went into default;

WHEREAS, the Trustee has neither been able to find a new suitable lessee under the Lease nor has the Bondholder been able to sell the Bonds;

WHEREAS, the Trustee recommends that the City and the Trustee release the Project from the lien of the Indenture;

WHEREAS, the Bondholder to facilitate sale of a portion of the Project requests that the Common Council authorize and empower the Mayor and City Clerk to execute appropriate documents to deed the Project to the Bondholder, to release the Trustee from any future liabilities and obligations, and to release GEIA from any future liabilities under the Lease;

WHEREAS, the Trustee intends to thereafter resign from its responsibilities and duties under the Indenture; and

WHEREAS, the obligations and liabilities of the Commission and the City were limited solely to the good faith efforts to consummate said proceedings, to issue the Bond, to hold legal title to the Project without any other responsibliities incident to such legal ownership, and neither the City, the Commission, nor its officers or agents were to incur any liability to any Bondlholder if said Bond went into default;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. To facilitate the sale of a portion of the Project by the Bondholder, the Mayor and Clerk of the City are authorized and directed to execute (a) a Warranty Deed of the Project from

the City to the Bondholder, (b) a Release of GEIA from all future liability under the Lease, and (c) a Release from any future liability or obligations of the Trustee under the Indenture and a termination of the effect and force of the Indenture subsequent to the release by the Trustee of the Project from the lien of the Indenture.

Section 2. This Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approved by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-10-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-12-29

ZONING MAP ORDINANCE NO. Z-03-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 3 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. L2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Key No. 9423550065 O'Brien The West 34 ft. of the North 25 ft. of Lot No. 34 in the Chute & Prince Addn. to the City of Fort Wayne.

Key No. 9423550036 Ewing The West 34 ft. of the South 25 ft. of the North 50 ft. in the Chute & Prince Addn.

Key No. 9423550034 Zeigler's The West 34 ft. of the North 27 ft. South of the North 50 ft. in the Chute & Prince Addn.

Key No. 9423550035 Zeigler's The West 34 ft. of the South 73 ft. of Lot No. 34 in C & P Addn.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-03-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-12-30

ZONING MAP ORDINANCE NO. Z-04-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P27

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. P 27, referred to therein, established by Section 9, Artilce III of said Chapter as amended, are hereby changed accordingly, towit:

The South 100 feet of the West 160 feet of Lot numbered Eighteen (18) in Curdes South Acres Addition.

The North 33 1/3 feet of the West 160 feet of Lot Number Eighteen and the South 66 2/3 feet of the West 160 feet of Lot Number 19 in Curdes South Acres Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, MOses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-04-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-05-34

GENERAL ORDINANCE NO. G-04-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain utility easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following utility easement, to-wit:

The Southeasterly two feet of the southeasterly fourteen feet of the northwesterly sixty-four feet of Lot #105 Lake Forest Extended, Section IV, a subdivision in Kercheval Reserve, Township 31 North, Range 13 East, in Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from ad after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-04-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-01-22

RESOLUTION NO. R-LOST

A RESOLUTION OF THE COMMON COUNCIL OF
CITY OF FORT WAYNE, INDIANA CONCERNING
PARTICIPATION IN CETA CONSORTIUM

WHEREAS, there consists a Consortium Agreement between the City of Fort Wayne, Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County; and

WHEREAS, said geographical area contains a total population in excess of 429,000 people; and,

WHEREAS, the grant agreements with the Department of Labor encourage the formation of such consortiums and heretofore said consortium was the prime supporter of manpower and related programs developed under the Comprehensive Employment and Training Act of 1973 and its amendments; and,

WHEREAS, subject to the terms of said Consortium the City of Fort Wayne was chosen to represent the interests of the Consortium of the general local governments as set forth above in the development of manpower needs and other related programs; and,

WHEREAS, it is required under IC 18-5-1.5-5 that no Agreement can be entered into by any local governmental unit without the prior consent and approval of the Common Council; and

WHEREAS, it is necessary that the City of Fort Wayne negotiate a continuation of the Consortium Agreement so that an application may be submitted by May 1, 1978 to the Secretary of Labor and thus ensure continuation of Consortium funds; and

WHEREAS, It is the desire of the Common Council of the City of Fort Wayne, Indiana, that the said Consortium Agreement as now existing be continued.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Consortium Agreement be negotiated by the City of Fort Wayne through its Chief Executive Officer with Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County, Indiana, to end that an application may be submitted by May 1, 1978 to the Secretary of Labor of the United States and an Agreement signed for said Consortium between the City of Fort Wayne, Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County so that the existing Consortium Agreement may continue.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

BILL NO. S-78-01-35

SPECIAL ORDINANCE NO. S-23-78

AN ORDINANCE approving Change Order No. 18 in connection with Water Quality Control Project, Job No. 3263.8D

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 18 to Hagerman-Shambaugh -Joint Bidders in connection with Water Pollution control Plant Additions in the amount of $492,060.57, to be paid from Federal Funds, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-23-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of February, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong , Mayor

BILL NO. R-78-02-19

RESOLUTION NO. R- 08-78

A RESOLUTION DESIGNATING THE GOVERNER'S AUTHORIZED REPRESENTATIVE AS CITY OF FORT WAYNE, INDIANA'S AGENT FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE UNDER THE DESASTER RELIEF ACT

WHEREAS, on January 27, 1978 the PResident of the United States declared Indiana a disaster area as a result of the preceding two days of blizzard conditions; and,

WHEREAS, the Common Council of the City of Fort Wayne is required by resolution to request that the Governor's Authorized Representative be authorized on behalf of said City to make a project application and any other acts required for obtaining certain Federal financial assistance under the Disaster Relief Act or otherwise available form the President's Disaster Relief Fund.

NOW THEREFORE, be it resolved by the Common Council of the City of Fort Wayne, Indiana:

That Milton M. Mitnick, Governor's Authorized Representative, is hereby authorized to execute for and on behalf of Fort Wayne, Indiana, a public entity established under the laws of the State of Indiana, a project application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress), or otherwise available from the President's Disaster Fund.

That the City of Fort Wayne, Indiana, a public entity established under the laws of the State of Indiana, hereby authorizes its agent to provide to the State and to the Federal Disaster Assistance Administration (FDAA), Department of Housing and Urban Development (HUD) for all matters thereunto pertaining.

That this action taken by the Common Council of the City of Fort Wayne is done now for this date of February 2, 1978.

Passed and approved this 14th day of February, 1978.

Samuel J. Talarico
President of Common Council

Fredrick R. Hunter
Donald J. Schmidt
Paul M. Burns
Absent

Vivian G. Schmidt
James S. Stier
Absent
Abstained

CERTIFICATION

I, Charles W. Wsterman, duly appointed Acting Clerk, of the City of Fort Wayne, Indiana, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Common Council of Fort Wayne, Indiana, on the 14th day of February, 1978, effective the 2nd day of February, 1978.

DATE: February 14, 1978

Charles W. Westerman
Acting Clerk of the City of
Fort Wayne, Indiana

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols
Absent: Two
Hinga, Moses

Date: 2-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-08-78 on the 14th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1978, at the hour of 9:00 o'clock A.M,. E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1978, at the hour of 9:05 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-01

SPECIAL ORDINANCE NO. S-24-78

AN ORDINANCE approving an Agreement
to purchase Real Estate from Mr. Bernard
Dikty for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated December 15, 1977, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mr. Bernard Dikty, for:

Lot #10 Drexel Park Addition

for the total cost of $6,000.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absetn: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-24-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-02

SPECIAL ORDINANCE NO. S-25-78

AN ORDINANCE approving a contract with
Flex-O-Lite Division for materials for
Traffic Engineering Operations

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated February 6, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and FlexOLite Division, for:

45,000 Lbs. (900 Bags) Glass Sphere Road
Beads Type "B"

TOTAL: $6,624.45

all as more particularly set forth on Civil City Purchase Order No. 4021661, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-25-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-03

SPECIAL ORDINANCE NO. S-26-87

AN ORDINANCE approving a contract with
Hefner Chevrolet, Inc., for purchase
of One 1978 Chev Nova for the Community
Development and Planning Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated December 15, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Hefner Chevrolet, Inc., for:

1 ea 1978 Chev Nova four door Sedan Model
1XX69

less trade in unit #281

TOTAL: $4,288.25

all as more particularly set forth on Civil City Purchase Order No. 401966, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-26-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-04

SPECIAL ORDINANCE NO. S-27-78

AN ORDINANCE authorizing the sale and
execution of a deed to General Telephone
Company of Indiana, Inc., of certain real
estate owned by the City of Fort Wayne,
Indiana

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Fort Wayne, Indiana, described as follows, towit:

A part of the East half, 1/2) of the Southwest Quarter (1/4) of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of said Section 11; thence South 89 degrees 37 minutes 35 seconds East (assumed direction bearing), a distance of 1312.89 feet to a point that is midway between the said Southwest corner of Section 11 and the South quarter (1/4) corner of Section 11, said point being the point of beginning of this described tract of land; thence North 00 degrees 10 minutes 01 seconds West, a distance of 2650.75 feet to the EastWest Centerline of said Section 11, said point being the midpoint between the West quarter (1/4) corner and the Center point of said Section 11; thence South 89 degrees 42 minutes 23 seconds East on the East-West Centerline, a distance of 1243.15 feet to the Westerly line of an existing 100 feet wide railroad rightofway line, said point being North 89 degrees 42 minutes 23 seconds West63.57 feet from the aforesaid center of Section 11; thence South 00 degrees 21 minutes 17 seconds West on aforementioned Westerly rightofway line of railroad, a distance of 2652.37 feet to the South line of the Southwest quarter (1/4) of said Section 11, said point being North 89 degrees 37 minutes 35 seconds West-93.88 feet from the South quarter (1/4) corner of said Section 11; thence North 89 degrees 37 minutes 35 seconds West on the South line of said Southwest quarter (1/4) section, a distance of 1219.01 feet to the place of beginning containing 74.94 acres more or less.

SUJECT to the TallStructures Act of 1957, and the South 50 feet thereon for rights-of-ways for the Cook Road, and any other legal drainage easement and/or grant thereon.

WHEREAS, said real estate is located immediately North of Smith Field, but is separated from Smith Field by a highway known as Cook Road; and

WHEREAS, The Board of Aviation Commissioner has determined that said real estate is not needed by the City of Fort Wayne and on January 17, 1978, at a regularly called meeting of said Board, said Board authorized the sale of said described the sum of $352,218.00, subject to a determination that said amount was not less than the appraised value thereof and subject also to the approval of said sale by the Common Council of the City of Fort Wayne, Indiana; and

WHEREAS, the appraised value of said described real estate is less than $352,218.00, and it is in the best interest of the City of Fort Wayne, Indiana, to sell said described real estate for said sum of $352,218.00; and

WHEREAS, a contract for said sale has been entered into by the Board of Aviation Commissioners of the City of Fort Wayne and General Telephone Company of Indiana, Inc., for such sale to General Telephone Company of Indiana, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the sale by the City of Fort Wayne, Indiana, of the above described real estate for not less than $352,218.00 to General Telephone Company of Indiana, Inc., be and hereby is authorized and approved.

SECTION 2. That the Mayor of the City of Fort Wayne, be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne to execute a Deed to General Telephone Company of Indiana, Inc., for the parcel of real estate herein above described upon payment by General Telephone Company of Indiana, Inc., of the sum of $352,218.00, such Deed to be in the form of a Warranty Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the seal of said City.

SECTION 3. The proceeds of such sale shall be deposited in the Aviation Fund of the City of Fort Wayne.

SECTION 4. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a Deed and to do all things incidental thereto or necessary therefor.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-27-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-02-05

RESOLUTION NO. R-11-78

A RESOLUTION authorizing the filing
of an application for fiscal year 1978
Community Development Block Grant Funds

WHEREAS, the City of Fort Wayne has as a goal the provision of a decent and viable living environment for all of its citizens; and

WHEREAS, the City of Fort Wayne has consistently committed itself to the elimination of blight and deterioration which is present within the community and the prevention of its further spread; and

WHEREAS, under the provisions of the Housing and Community Development Act of 1977, the City of Fort Wayne is entitled to receive annual grants through the Community Development Block Grant program; and

WHEREAS, funding under this program must be used for the promotion of viable urban communities and the prevention or elimination of blight and deterioration, primarily for the benefit of low and moderate income people; and

WHEREAS, the City of Fort Wayne has developed a community development plan and program which is consistent with the City's overall strategy for preventing the further spread and elimination of blight and deterioration; and

WHEREAS, all necessary steps have been taken by the Mayor and the Department of Community Development and Planning staff to properly complete the attached entitlement application for fourth year Community Development Block Grant funding in conformance with that strategy and plan.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the attached application for $2,581,000 in fourth year entitlement funds and the accompanying assurances be approved and forwarded to the U.S. Department of Housing and Urban Development under the signature of Mayor Robert E. Armstrong.

2. That Mayor Robert E. Armstrong, in his capacity as Chief Executive Officer for the

City of Fort Wayne, be authorized to act on behalf of the City in completing contractural agreements pertaining to this grant and providing additional information and documentation pertinent thereto as required.

3. That the Common Council by its approval of this application hereby reaffirms its intent to reduce and eliminate urban blight within the City of Fort Wayne.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. R-11-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 8:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of March, 1978, at the hour of 9:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-02-25

RESOLUTION NO. R-12-78

A RESOLUTION authorizing payment to
Allen County Motors and DeHaven
Chevrolet for repair of Street Department
vehicle and Board of Public Works vehicle.

WHEREAS, the Street Department's vehicle, #309, a 1971 Ford Custom, License No. 5545, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Allen County Motors has submitted an estimate in the amount of $238.78 for repair of said vehicle, and

WHEREAS, the Board of Public Works' vehicle, #1, a 1977 Chevrolet 3/4 pickup, License No. MO27664, was damaged in an accident and insurance monies were received and receipted in the Controller's Office and

WHEREAS, DeHaven Chevrolet has submitted an estimate in the amount of $301.61 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $238.78 to Allen County Motors for the repair of the 1971 Ford Custom, License No. 5545, and

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $301.61 to DeHaven Chevrolet for the repair of the 1977 Chevrolet 3/4 pick-up, License No. MO27664.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-12-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-10-28

ZONING MAP ORDINANCE NO. Z-05-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S18

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. S 18, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Inwood Park, East 70 feet of the South 150 feet of Lot 5, and the West 30 feet of the South 150 feet, Lot 6

SECTION 2. This ORdinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Council woman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, Nuckols, D. Schmidt, Talarico
Nays: Two
V. Schmidt, Stier,
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-05-78 on the 28th day of February, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-01-37 (AS AMENDED) (AS AMENDED)

GENERAL ORDINANCE NO. G-05-78

AN ORDINANCE REPEALING GENERAL ORDINANCE
NO. G-07-77 REGULATING PERFORMANCES
OR SHOW COMMONLY KNOWN AS CARNIVALS
OR FAIRS AND PRESCRIBING A PENALTY
FOR THE VIOLATION THEREOF

WHEREAS, the conduct, operation and exhibition of performances and shows commonly known as Carnivals or Street Fairs or Fairs should be regulated in the public interest to prevent unnecessary traffic congestion, noise, glaring lights and other public disturbances to areas in the City of Fort Wayne and to the citizens of Fort Wayne.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The maximum size permitted of any Carnival shall be for twelve (12) rides and five (5) concessions.

SECTION 2. No loud or disturbing noises or music shall be permitted.

SECTION 3. No Street Fair or Carnival shall continue its operation after 11:00 P.M.

SECTION 4. No search lights or bright lights that would shine into the windows of any dwelling houses shall be permitted.

SECTION 5. Before presenting a Carnival a permit shall be issued by the City Controller and no Carnival shall operate without such permit.

SECTION 6. No Carnival shall operate within 300' of a residential dwelling.

SECTION 7. Any person, firm, corporation, or entity whether its principal agent, owner, lessee, tenant, contractor or otherwise which violates any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not less than $50.00 nor more than $300.00 for each offense. Each day of existence of any violation of this Ordinance shall be considered a separate offense.

SECTION 8. If any part, parts, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other part of this Ordinance.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage by the Common Council approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-05-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-11

SPECIAL ORDINANCE NO. S-28-78

AN ORDINANCE approving a contract with Nobis Construction Co., for Sewer Improvement Resolution No. 295-77 - Glenwood Park Lift Station Sewer Extension

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated January 19, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Nobis Construction Co., for:

MAIN LINE

Beginning at an existing sanitary sewer manhole located 5 ± LF west of and 5 ± south of the northwest corner of lot 34 Sanibel Acres, Section B, as recorded in Plat Book 27, Page 89; thence due east 355 ± LF to a proposed manhole located 5 ± LF east of and 1 ± LF north of the northeast corner of Lot 54 of Gerke's Trier Road Addition, Section 3, as recorded in Plat Book 27, Page 43 and 44; thence southerly 125 ± LF along the east property line of said lot 54 to a proposed manhole located 5 ± LF east of and 1 ± LF south of the southeast corner of said lot 54; thence due east 900 ± LF to a proposed manhole located 5 ± LF south of and 1 ± LF east of the northwest corner of lot 7 of Gerke's Trier Road Addition, Section 3, as recorded in Plat Book 18, Page 157; thence due souht 300 ± LF to the existing sanitary sewer wet well of the Glenwood Park Lift Station.

Said sewer shall be 15" in diameter.

LATERAL #1

Beginning at an existing sanitary sewer manhole located 20 ± LF west of and 20 ± LF south of the southwest corner of lot 31 of Sanibel Acres, Section B as recorded in Plat Book 28, Page 89; thence due north 60 ± LF terminating at a proposed

bulkhead.

Said Sewer shall be 8" in diameter.

LATERAL #2

Beginning at an existing sanitary sewer manhole located 5 ± LF west of and 5 ± LF south of the northwest corner of Lot 34 of Sanibel Acres, Section B, as recorded in Plat Book 27, Page 89; thence due north 60 ± LF terminating at a proposed bulkhead.

Said sewer shall be 8" in diameter.

LATERAL #3

Beginning at a proposed sanitary sewer manhole located 10 ± LF south of and 5 ± LF west of the northeast corner of Lot 8 of Gerke's Trier Road Addition, Section 1, as recorded in Plat Book 18, Page 157; thence northeasterly to a proposed clean-out located 20 ± LF east of and 1 ± LF north of the southeast corner of Lot 85 of Gerk'es Trier Road Addition, Section 3, Plat Book 27, Pages 43 and 44.

Said Sewer shall be 8" in diameter.

for a total cost of $59,783.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmid, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-28-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-12

SPECIAL ORDINANCE NO. S-29-78

AN ORDINANCE approving Change
Order No. 2 - Resolution No. 5757-1977
1977 Resurfacing.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Brooks Construction Co., Inc. in connection with 1977 Resurfacing (Park drive adjacent to St. Joe Blvd.) Resolution No. 57571977 in the amount of $4,135.65, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunte,r Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-29-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-13

SPECIAL ORDINANCE NO. S-30-78

AN ORDINANCE approving a contract
with BERCOT, INC. for sewer improvement
in Paper Mill Bluffs, Section II

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated January 16, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Bercot, Inc., for:

> Sewer Improvement Resolution No. 30077, beginning at an existing sanitary sewer manhole located 30 ± LF west of and 20 ± LF south of the northeast corner of Lot #31 of Paper Mill Bluffs, Section I; thence westerly 650 ± LF to a proposed manhole located 40 ± LF south of the northwest corner of Lot #98 of Paper Mill Bluffs, Section II; thence westerly 250 ± LF terminating at a proposed manhole located 55 ± Paper Mill Bluffs, Section II.

for a total cost of $7,865.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-30-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-02-14

SPECIAL ORDINANCE NO. S-31-78

AN ORDINANCE approving a contract with
T. & F. Construction Corp. for
Installation of street lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated January 18, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T. & F. Construction Corp., for:

Installation of street lighting with under
ground wiring for East Central Phase II for
the bid of $14,207.80;

for a total cost of $14,207.80, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-31-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-15

SPECIAL ORDINANCE NO. S- 32-78

AN ORDINANCE approving an Invoice
with L.W. Dailey, Inc. for Emergency
Repair of the North Clinton Street
Pavement for the Board of Public Works

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Invoice dated January 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L.W. Dailey, Inc., for:

Time and Material to remove and replace blow
up in concrete pavement on North Clinton Street
between State Road 30 and Washington Center Road.

for the total cost of $6,828.95, which will be taken from MVH funds, all as more particularly set forth on L.W. Dailey, Inc., Invoice, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-32-78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-16

SPECIAL ORDINANCE NO. S-33-78

AN ORDINANCE approving a contract with
Deeds Equipment Co., Inc., for materials
for the Water Pollution Control Maintenance
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated January 16, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Water Pollution Control Maintenance Department and Deeds Equipment Co., Inc., for:

1 Complete new liner and cylones, and screens. Also will include a new seal for door and cover for rear door inside.

Labor to cut out old liner and grind cross members and weld new liner in

Parts and labor

TOTAL: $4,736.90

all as more particularly set forth on City Utilities Purchase Order No. 9731, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-33 - 78 on the 28th day of February, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-02-30

RESOLUTION NO. R-13-78

A RESOLUTION OF THE COMMON COUNCIL OF
CITY OF FORT WAYNE, INDIANA CONCERNING
PARTICIPATION IN CETA CONSORTIUM

WHEREAS, there consists a Consortium Agreement between the City of Fort Wayne, Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County; and

WHEREAS, said geographical area contains a total population in excess of 429,000 people; and,

WHEREAS, the grant agreements with the Department of Labor encourage the formation of such consortiums and heretofore said consortium was the prime supporter of manpower and related programs developed under the Comprehensive Employment and Training Act of 1973 and its amendments; and,

WHEREAS, subject to the terms of said Consortium the City of Fort Wayne was chosen to represent the interests of the Consortium of the general local governments as set forth above in the development of manpower needs and other related programs; and,

WHEREAS, it is required under IC 18-5-1.5-4 that no Agreement can be entered into by any local governmental unit without the prior consent and approval of the Common Council; and

WHEREAS, it is necessary that the City of Fort Wayne negotiate a continuation of the Consortium Agreement so that an application may be submitted by May 1, 1978 to the Secretary of Labor and thus ensure continuation of Consortium funds; and

WHEREAS, It is the desire of the Common Council of the City of Fort Wayne, Indiana, that the said Consortium Agreement as now existing be continued.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Consortium Agreement be negotiated by the City of Fort Wayne through its Chief Executive Officer with Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County, Indiana, to end that an application may be submitted by May 1, 1978 to the Secretary of Labor of the United States and an Agreement signed for said Consortium between the City of Fort Wayne, Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County so that the existing Consortium Agreement may continue.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-13-78 on the 28th day of February, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

BILL NO. G-78-02-18

GENERAL ORDINANCE NO. G-06-78

AN ORDINANCE amending General
Ordinance No. G-41-77

WHEREAS, heretofore on November 22, 1977, the Common Council of the City of Fort Wayne, Indiana, by General Ordinance No. G-41-77 adopted a plan for establishing a Merit Commission for the Fort Wayne Fire Department, and among other things providing for selection of members of said commission; and

WHEREAS, it is necessary to amend Section 2 of said ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 2 of General Ordinance No. G-41-77 is hereby amended to read as follows:

QUALIFICATION AND SELECTION OF COMMISSIONERS

Within one hundred fifty (150) days after the adoption of the Ordinance, the Fire Department Merit Commission shall be selected as hereinafter provided. The Commission shall consist of five members. The members of the Commission shall be residents of the City of Fort Wayne and persons of good moral character. No more than three of the Commissioners shall be members of the same party. Two, but no more than two, of said members may be from the retired list of the Fort Wayne Fire Department and the remaining three members of the Commission shall be drawn from a broad cross section of persons representative of the citizens of the City and shall have an interest in, or a knowledge or understanding of, the various phases of the fire service, as performed by the Fire Department. Persons shall be ineligible to serve as members of the Commission if they hold elected or appointed positions as officers of any governmental entity, or full time employment as officers or employees of any governmental entity, or if they have held any such employment in the preceding four years. Every member appointed or elected to the Commission shall take and subscribe to an oath that he will conscientiously and faithfully discharge the duties of the office. Said oath shall be filed with the City Clerk.

The members of the Commission shall be selected as hereinafter set forth. The active members of the Fire Department shall elect two members of the Commission. One shall be a member of one of the parties and the second a member of the other of the two parties. The Mayor shall then make one appointment to the Merit Commission, after which the Common Council shall make one appointment to the Merit Commission, who shall be a member of the other party from the member of the Commission appointed by the Mayor. The four Commissioners so elected shall select a fith member by unanimous vote. Of the two members first elected by the active members of the Fire Department, one shall serve for a term of four years and one shall serve for a term of two years. The candidate receiving the highest number of votes by active members of the Fire Department shall serve the four year term and the candidate who is a member of the other party and who receives the highest number of votes of candidates from said party shall serve the two year term. The first Commissioner appointed by the Mayor shall serve for one year. The first Commissioner appointed by the Common Council shall serve for three years. The fifth Commissioner, selected by unanimous vote by the other four, shall serve for a term of four years. Upon the expiration of the aforesaid terms, the terms of each Commissioner shall be for four years.

For the purpose of selecting candidates to be elected by the active members of the Fire Department to serve as members of the Fire Commission, there shall be a nominating committee from each of the two parties. Each such committee shall consist of five members. The Board of Safety shall designate a period of ten days in which to call for and receive the name of any active member of the Fire Department who wishes to serve on one of the two nominating committees. Any such member shall make application to the Board, in writing, within the designated period, identifying the party of which he is a member on his application. In the event there are fewer than five applicants, the Board of Safety shall nominate additional firefighters so that there shall be five.

At the close of the ten day period, the Board shall compile a list of each of the two parties showing the names of all those wishing to serve on the nominating committee of their respective parties. A meeting shall then be called by the Board for members of each of the two parties. All those who have made application to the Board, or who have been nominated by the Board, shall be notified to attend the meeting of their respective parties. If the number of applicants for the nominating committee exceeds five, an election shall be held. The Board of Safety shall conduct such election. Each applicant shall vote for five applicants by secret ballot. The five applicants receiving the highest number of votes shall be elected to the nominating committee.

It shall be the responsibility of each nominating committee to canvass the community, including members of the retired list of the Fire Department and to select three candidates for election as a member of the Commission. When selected, the names of the candidates shall be placed on ballots to be used in the election as provided for hereinafter. At such election, each voter shall vote for two candidates, one from each of the two parties.

Each nominatng committee shall organize itself with a chairperson and a vice-chairperson.

The elections by the active members of the Fire Department shall be made at meetings held on three consecutive days, called for such purpose by the Board of Safety. The Board shall give at least three weeks' notice of said meetings to all members of the Fire Department by posting a copy of the notice in all Fire Company locations, and by sending every active member of the Fire Department a notice indicating the time and place of said meetings. No one shall be entitled to be present at the meetings and exercise the right to vote unless he is a member of the Fire Department.

Each of the nominating committees, as provided for above, shall choose from its own membership one person to serve as a co-chairperson of the election. Said co-chairpersons shall have charge of the conduct of the election. Voting shall be by secret ballot and the candidate receiving the highest number of votes of candidates from said party shall be elected as members of the Commission. Active members of the Fire Department who are on vacation, ill, injured, or otherwise unable to attend either such meeting may vote by written proxy. Said proxy must be notarized and put into a sealed envelope and sent to the co-chairpersons prior to the election and opened and counted immediately after the counting of the ballots at said meeting. The results of the election shall be tabulated and filed with the City Clerk.

Upon the completion of the term of a Commissioner elected by the active members of the Fire Department, or upon any such Commissioner's leaving office for any other reason, the same procedure shall be followed for the election of a new Commissioner as hereinabove specified except that the Board of Safety shall designate a period of ten days in which to call for and receive the name of any active member of the Fire Department who wishes to serve on the nominating committee and who is a member of the same party as the Commissioner whose term has expired or who has left office for any other reason. In the event there are fewer than five applicants, the Board of Safety shall nominate additional firefighters so that there shall be five. At the close of such ten day period, the Board shall call a meeting for members of said party. All those who have made application to the Board, or have been nominated by the Board, shall be notified to attend the meeting. If the number of applicants exceeds five, an election shall be held. The Board of Safety shall conduct such election. Each applicant shall vote for five applicants by secret ballot. The five applicants receiving the highest number of votes shall be elected to the nominating committee. It shall be the responsibility of the nominating committee so selected to submit a list of three candidates who shall be members of the same party as the members of the nominating committee. The election thereafter held shall be under the supervision of the nominating committee so chosen and confined to the three candidates selected by said committee but all active members of the Fire Department shall be entitled to vote at said election.

SECTION 3. All of said General Ordinance No. G-41-77 except as herein amended by this Ordinance shall be and remains in full force and effect.

SECTION 4. This Ordinance shall be effective on date of its adoption.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Abstained: ONe
Nuckols
Absent: One
Hinga

Date: 2-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-06-78 on the 28th day of February, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 6th day of March, 1978, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-24

SPECIAL ORDINANCE NO. S-34-78

AN ORDINANCE approving a contract
between GT&E DATA SERVICES CORPORATION
and the City of Fort Wayne, by and through
its Department of Public Safety, for fire
protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated January 1, 1978, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and GT&E Data Services Corporation for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to-wit:

Lots number 1 and 2 in Oakbrook Office Park, a tract of real estate located in the northeast quarter of the southeast quarter of Section 14, township 31 North, Range 12, Allen County, Indiana, at the south west corner of U.S. Highway 27 and Ludwig Road, near but outside the corporate limits of CITY.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of 299,080.00 issued by the Washington Township Assessor's Office.

SECTION 2. The cost of GT&E Data Services Corporation shall be the sum of $3,781.27, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-34-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-03-03

RESOLUTION NO. R-15-78

A RESOLUTION authorizing payment to Northway Chrysler Plymouth for repair of Board of Public Safety vehicles

WHEREAS, the Board of Public Safety's vehicle, #29, a 1976 Plymouth, 4 door, License No. 11129, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $488.94 for the repair of said vehicle, and

WHEREAS, the Board of Public Safety's vehicle, #131, a 1977 Ford, 4 door, License No. 10A6469, was damaged in an accident and insurance monies were received and receipted in the Controller's Office, and

WHEREAS, Northway Chrysler Plymouth has submitted an estimate in the amount of $103.00 for the repair of said vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $488.94 to Northway Chrysler Plymouth for the repair of the 1976 Plymouth, 4 door, License No. 11129, and

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of $103.00 to Northway Chrylser Plymouth for the repair of the 1977 Ford, 4 door, License No. 10A6469.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-15-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-77-12-35

SPECIAL ORDINANCE NO. S-35-78

AN ORDINANCE REPEALING SECTION 13 AND SECTION 25 OF SPECIAL ORDINANCE NO. S-567-67 AND ENACTING IN ITS PLACE A NEW ORDINANCE ESTABLISHING AND CHANGING THE NAME OF A CERTAIN STREET

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 13 and Section 25 of Special Ordinance No. S56767 are hereby repealed and there are enacted in place of said Sections the following:

SECTION 2. The name of Jefferson Boulevard from Maumee Avenue west to its intersection with Illinois Road is hereby established as Jefferson Boulevard.

SECTION 3. The name of West Jefferson Boulevard from its intersection with Illinois Road to the west city limits is hereby changed and established as Upper Huntington Road.

SECTION 4. All streets within the city limits, except Upper Huntington Road shall be designated by their street name instead of highway numbers or road names; provided that this shall not affect street names of which the word "Road" is a part.

SECTION 5. This Ordinance shall be effective from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-35-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-01-07

ZONING MAP ORDINANCE NO. Z-06-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 1 District under the terms of Chapter 36, amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. M 7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Louis Fox Add. Lots 1 thru 64
Gunder Agy. 2nd Amd. Add. Lots 1 thru 4
Fleming and Kuhnes Add. Lots 1 thru 62
Hogans Add. Lots 9 thru 32
Morrison Place Add. Lots 4 thru 12
Ryan and Tanceys Sub. Lots 5 thru 16
W.H.F. Moellerings Sub. Lots 13 thru 18
Cours Sub. Lots 33 thru 36 and lots 45 thru 48
Fox Sub. Lots 11 thru 25

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-06-78 on the 14th day of March, 1978

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-01-30

ZONING MAP ORDINANCE NO. Z-07-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q 10

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. Q 10, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Part of the Northeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at the northwest corner of the Northeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence easterly along the north line of the NE 1/4 of Sec. 63013 a distance of 274.3 feet; thence southerly with a deflection angle to the right of 89 degr. 34 min. 10 sec. and parallel to the west line of the NE 1/4 of Sec. 63013 a distance of 165 feet; thence easterly with a deflection angle to the left of 89 degr. 34 min. 10 sec. and parallel to the north line of the NE 1/4 of Sec. 63013 a distance of 129.1 feet; thence southerly with a deflection angle to the right of 89 degr. 34 min. 10 sec. and parallel to the west of the NE 1/4 of Sec. 63013 a distance of 429 feet; thence westerly with a deflection angle to the right of 90 degr. 25 min. 50 sec. and parallel to the north line of the NE 1/4 of Sec. 63013 a distance of 403.4 feet to a point on the west line of the NE 1/4 of Sec. 63013; thence northerly with a deflection angle to the right of 89 degr. 34 min. 10 sec. and along the west line of the NE 1/4 of Sec. 63013 a distance of 594 feet to the point of beginning, containing 5.01 acres of land and subject to all right of ways and easements.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Huner, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-07-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-01-31

ZONING MAP ORDINANCE NO. Z-08-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORR WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. S 14, referred to therein, established by Section 9, Artilce III of said Chapter as amended, are hereby changed accordingly, towit:

Lots Numbered 88, 89, 132 and 133 in Delta Heights Addition to the City of Fort Wayne

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-08-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-01-29

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H 14 114

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 3 District under the Terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. H 14 114, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Southeast Quarter of Section 33, Township 31 North, Range 12 East, Annel County, Indiana:

Beginning at the Southwest corner of said Southeast Quarter; thence North, on and along the West line of said Southeast Quarter, a distance of 440 feet; thence Easterly, by an interior angle of 89o - 18' and parallel to the South line of said Southeast Quarter, a distance of 76.33 feet; thence South and parallel to said West line, a distance of 440 feet to said South line; thence Westerly, on and along said South line, being also the centerline of Bass Road, a distance of 76.33 feet to the point of beginning, containing 0.771 acres of land, subject to legal right-of-way for Bass Road.

SECTION 2. This Ordinance shal be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Huner, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 3-14-78

Charles W. Westerman
City Clerk

BILL NO. R-78-02-31 (AS AMENDED)

RESOLUTION NO. R-14-78

A RESOLUTION CONCERNING THE
SOUTH-EAST BYPASS AROUND THE
CITY OF FORT WAYNE

WHEREAS, the Common Council of the City of Fort Wayne is being called upon from time to time to widen and extend interior city neighborhood streets to accommodate additional truck traffic as well as passenger car traffic throughout the City; and,

WHEREAS, construction of the South-East Bypass around the City of Fort Wayne will diminish much of the truck as well as passenger car traffic on existing City streets; and,

WHEREAS, the Governor of the State of Indiana has stated that construction of said South-East Bypass around the City of Fort Wayne, Indiana is one of his first priorities;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana enthusiastically endorses the construction of a South-East Bypass around the City of Fort Wayne at the earliest possible time;

SECTION 2. That the Governor of the State of Indiana is requested to direct the Indiana State Highway Department to initially advise this Common Council concerning the present status of said South-East Bypass project and thereafter render quarterly progress reports thereon;

SECTION 3. BE IT FURTHER RESOLVED that a copy of this Resolution be submitted to the Governor of the State of Indiana and a copy thereof be sent to the Indiana State Highway Department.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-14-78 on the 14th day of March, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1978, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of March, 1978, at the hour of 11:15 o'clock A.M.,E.

BILL NO. S-78-03-01

SPECIAL ORDINANCE NO. S-36-78

AN ORDINANCE approving Purchase Order No. 4-02240E with Parkerson Electronics, Inc. for materials for Communications Department of the Fort Wayne Police Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Purchase Order No. 402240E, dated March 6, 1978, between the City of Fort Wayne, by and through the Purchasing Director and the Board of Public Safety and Parkerson Electronics, Inc., for purchase of material to build an Alarm Control System, at a cost of $15,790.68, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-36-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. R-78-03-20

RESOLUTION NO. R-16-78

A RESOLUTION authorizing payment to
Elliott Equipment Corp. for signal repair
parts and equipment for the Traffic Engineering
Department

WHEREAS, insurance monies have been received and receipted by the City Controller for damage done to Traffic Engineering Department equipment, in the amount of $2,223.00, and Elliott Equipment Corp. has bid that amount to repair (including replacement parts and equipment) the damaged property.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the sum of $2,223.00 to Elliott Equipment Corp. for performing such repair work, upon receipt of a proper voucher from the City Traffic Engineer.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-16-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-03-21

RESOLUTION NO. R-17-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. vehicle No. 42 1975 Ford, 4 Door sedan License #MO11142	$ 712.09	Northway Chrysler Plymouth
2)	Loaned vehicle to EMS by DeHaven Chevrolet 1978 GMC 4 wheel drive	104.74	DeHaven Chevrolet
3)	Street Dept. vehicle No. 266 1969 IHC 2010-A-Dump Truck License #5582	122.48	Don VanOsdale's Body Shop
4)	Police Dept. vehicle 1976 Ford, 4 door sedan License #11110	586.70	Northway Chrysler Plymouth
5)	Police Dept. vehicle No. 135 1977 Ford, 4 door sedan License #84C5815	314.55	Allen County Motors
6)	Police Dept. vehicle No. 15 1976 Plymouth Sedan License #MO11115	821.76	Allen County Motors
	Total	$2,662.32	

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-17-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-01-32

GENERAL ORDINANCE NO. G-07-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain utility easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following utility easement, towit:

Starting at a point on the northeast corner of Lot Number 21 of Northcrest Woods Addition, proceed in a westerly direction along the north property line for a distance of 135 feet to the west property line; thence, in a southerly direction along the west property line for a distance of 3 feet; thence, in an easterly direction along a line, parallel to the north property line for a distance of 135 feet to the east property line; thence, in a northerly direction along the east property line for a distance of 3 feet and to the point of starting.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-07-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-01-33

GENERAL ORDINANCE NO. G-08-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of certain alleys

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

W

SECTION 1. Petition for the vacation of certain alleys having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alleys, towit:

The first alley east of Lafayette Street from the north property line of Wallace Street to its northern terminus and the alley between Wallace Street and vacated Virginia Street from the east property line of the first alley east of Lafayette Street to a point 110 feet west of the west property line of Monroe Street except the Clay Str. intersection.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-08-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Resolution regarding the above ordinance on the following page.

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

The following Resolution is to be incorporated into the above ordinance --General ORdinance No. G-08-78

RESOLUTION

WHEREAS, the FORT WAYNE BOARD OF PUBLIC WORKS and FORT WAYNE CITY UTILITIES FEDERAL CREDIT UNION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vaction of the following dedicated alleys located in Fort Wayne, Allen County, Indiana towit:

> The first alley of Lafayette Street from the north property line of Wallace Street to its northern terminus and the alley between Wallace Street and vacated Virginia Street from the east property line of the first alley east of Lafayette to a point 110 feet west of the west property line of Monroe Street except the Clay Street intersection.

WHEREAS, said vacation of dedicated alleys have been submitted to and approved by the following departments of the City of Fort Wayne: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Park Board, Electrical Engineering, and through Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana:

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alleys, hereinbefore described be and the same is hereby approved and easement rights be retained over the entire alley rightsofway of the aforedescribed alleys, that the vacation of said dedicated alleys shall not have the effect of depriving any public utility using and occuping said dedicated public utility easement at this time of the use of said dedicated public utility easement for the location and operation of its utility facilities.

APPROVED.

DATED THIS 6th DAY OF MARCH, 1978

Henry P. Wehrenberg, Chairman

Max G. Scott

BILL NO. G-78-01-34

GENERAL ORDINANCE NO. G-09-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley towit:

> An eastwest alley, extending west 122 feet, from the west right-of-way of Gay Street, to its terminus at the east right-of-way of the north-south alley, lying north of Creighton Avenue, located north of lot #3 and south of Lot #2 Pukowniks Subdivision.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-09-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-02-29

SPECIAL ORDINANCE NO. S-37-78

AN ORDINANCE approving a contract
with L.W. DAILEY, INC., to construct
sidewalk on Spy Run Avenue, under
Resolution No. 5793-77.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated February 8, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L.W. Dailey, Inc., for:

Resolution No. 5793-77: To construct sidewalk on Spy Run Avenue - west side adjacent Historic Old Fort, from the north sidewalk line of ST. Marys River Bridge to a point 600 feet + northeast thereof.

for a total cost of $19,835.60, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-37-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-04

SPECIAL ORDINANCE NO. S-38-78

AN ORDINANCE approving an agreement with the County of Allen, State of Indiana for the purchase by the City of certain real estate owned by the County which is no longer required or satisfactory for the business or recreational purposes of said county

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Convey Real Estate, dated February 14, 1978 between the City of Fort Wayne, by and through its Board of Public Works, and the County of Allen, State of Indiana, by and through its Board of County Commissioners, for the conveyance by said county to the City of the following described real estate in Allen County, Indiana, to wit:

The East 1/2 of Lot 220, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 443 E. Masterson, Fort Wayne, Indiana)

Lot 223, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 501 E. Masterson, Fort Wayne, Indiana.)

The West 1/2 of Lot 229, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 537 E. Masterson, Fort Wayne, Indiana.)

Lot 229, Except the West 30', Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 541 E. Masterson, Fort Wayne, Indiana.)

The South 1/2 of Lot 203 Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 1812 and 1814 Clay Street, Fort Wayne, Indiana.)

Lot 198, Lewis Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 526 and 528 E. Wallace, Fort Wayne, Indiana.)

Lot 42, Out Lot 11 Fletcher's Addition to the City of Fort Wayne, Allen County, Indiana. (Commonly known as 1439 S. Anthony Blvd., Fort Wayne, Indiana.)

For the consideration of One ($1.00) Dollar and other good and valuable consideration, subject to the ratification of this body and of the County Council of said county, all as more particularly set forth in said agreement which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-38-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-05

SPECIAL ORDINANCE NO. S-39-78

AN ORDINANCE approving City Utilities Purchase Order No. 9794 with Preferred Products for materials for Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9494, dated February 23, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Preferred Products, for the purchase of thirtyfive 16' Pedestal Poles, Aluminum

embedded with Black Duracron Finish, at a cost of $4,550.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-39-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-06

SPECIAL ORDINANCE NO. S-40-78

AN ORDINANCE approving City Utilities
Purchase Order No. 9793 with General
Electric Company for materials for
Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9793, dated February 23, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for the purchase of thirtyfive Post Top Luminaires, at a cost of $4,550.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-40-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-07

SPECIAL ORDINANCE NO. S-41-78

AN ORDINANCE approving Change Order
No. 1 in connection with Street Light
Resolution No. 5715-76

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Schmidt Electric, Inc. in connection with Street Light Resolution No. 571576, for additional material to be used on Coldwater Road, Street Lighting Project, in the amount of $8,262.08, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-41-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-08

SPECIAL ORDINANCE NO. S-42-78

AN ORDINANCE approving a contract for Improvement Resolution No. 5791-1977, between the City of Fort Wayne, Indiana and Hipskind Asphalt Corporation for resurfacing certain streets at a cost of $100,634.00

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated February 23, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and Board of Public Works, and Hipskind Asphalt Corporation for the resurfacing of the pavement, curbing and driveway approaches of:

Curdes Avenue from Crescent Avenue to Kentucky Avenue, Fifth Street from Wells Street to Barthold Street, Barr Street from Douglas Avenue to Washington Boulevard, Weisser Park Avenue from Pontiac Street to Buchanan Street, Putman Street from Jessie Avenue to Poinsette Street, and St. Joe Road,

under Board of Public Works Improvement Resolution No. 57911977, at a total cost of $100,634.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-42-78 on the 28th day of March, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-09

SPECIAL ORDINANCE NO. S-43-78

AN ORDINANCE approving a contract for Improvement Resolution No. 5789-1977, between the City of Fort Wayne, Indiana and Carrington & Associates, Inc. for the installation of certain sidewalks in Lincolnshire Addition at a cost of $10,595.00

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated February 23, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and Board of Public Works, and Carrington & Associates, Inc. for the installation of certain sidewalks in Lincolnshire Addition, under Board of Public Works Improvement Resolution No. 57981977, at a total cost of $10,595.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-43-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-10

SPECIAL ORDINANCE NO. S-44-78

AN ORDINANCE approvng a contract with
Woodmont Realty, Inc. for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated February 23, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Woodmont Realty, Inc., for:

WOODMONT - SECTION 4

Line A - Beginning at an existing manhole #1 over an existing 10" sanitary sewer, said manhole being situated approximately 15 feet West of the Southwest corner of Lot #58 in WOODMONT, SECTION 4, and 5 (plus or minus) feet North of the South property line of said Lot #58; thence Easterly, along the south property line of said Lots #58 and #59, a distance of 378 feet to proposed manhole #2, lying in the Southeast corner of Lot #57 in WOODMONT SECTION 4; thence Northeasterly, 215 feet to proposed manhole #3, said manhole being situated 30 (plus or minus) feet North of the centerline of Hockory Tree Road and 25 (plus or minus) feet West of the centerline of Hickory Tree Court; thence Northerly, 340 feet terminating at a proposed manhole #4, said manhole being situated on the corner of Lots #70 and #69 in WOODMONT, SECTION 4, and the right-of-way of said Hickory Tree Court.

Line B - Beginning at an existing manhole #1 over an existing 10" sanitary sewer, said manhole being situated approximately 15 feet West of the rear common corner of said Lot #59 and said Lot #58 in WOODMONT, SECTION 4 and 5 (plus or minus) feet North of the South property line of said Lot #58; thence Northeasterly, 255 feet to proposed manhole #6, said manhole being situated within the right-of-way of Hickory Tree Road at the Northeast corner of said Lot #59; thence Northwesterly, 305 feet to proposed manhole #7, said manhole being situated with the right-of-way of said Hickory Tree Road and 30 (plus or minus) feet South of the Northeast corner of Lot #61 in WOODMONT, SECTION 4; thence Northerly along the West right-of-way of said Hickory Tree Road, 400 feet to proposed manhole #8, said manhole lying outside the limits of WOODMONT, SECTION 4; thence Northerly, 165 feet to proposed manhole #10, said manhole being situa ted 20 (plus or minus) feet South and 20 (plus or minus) feet West of the centerline intersection of Hickory Tree Road and Oak Tree Road in WOODMONT, SECTION 3.

Line C - Beginning at a proposed manhole #3, said manhole being situated 30 (plus or minus) feet North of the centerline of Hickory Tree Road and 25 (plus or minus) feet West of the centerline of Hickory Tree Court, in WOODMONT, SECTION 4; thence Southeasterly, 180 feet terminating at a proposed cleanout #1, said cleanout being situated within the right-of-way of said Hickory Tree Road and lying 30 (plus or minus) feet Southeast of the Northwest corner of Lot #74 in WOODMONT, SECTION 4.

Line D - Beginning at proposed manhole #2, said manhole being situated in the Southeast corner of Lot #57 in WOODMONT, SECTION 4; thence Southerly along the West property line of Lots #56, #55 and #54, a distance of 230 feet terminating at a proposed manhole #5, said manhole being situated 60 (plus or minus) feet North of the Southwest corner of Lot #54 in WOODMONT, SECTION 4.

WOODMONT - SECTION 3

Line A - Beginning at a proposed manhole #10, said manhole being situated 20 (plus or minus) feet South and 20 (plus or minus) feet West of the centerline intersection of Hickory Tree Road and Oak Tree Road in WOODMONT, SECTION 3; thence Northerly along the west right-of-way of said Hickory Tree road, 400 feet to proposed manhole #11; thence Northerly, 200 feet to proposed manhole #12, said manhole being situated 30 (plus or minus) feet West and 20 (plus or minus) feet South of the centerline intersection of Hickory Tree Road and Rollingwood Lane; thence Northerly along the west right-of-way of said Hickory Tree Road, 280 feet to proposed manhole #13; thence Northerly along the West right-of-way of said Hickory Tree Road, 400 feet terminating at a proposed manhole #14, said manhole being situated with the right-of-way of said Hickory Tree Road and lying 40 (plus or minus) feet South of the Northeast corner of Lot #50 in WOODMONT, SECTION 4.

Line B - Beginning at a proposed manhole #12, said manhole being situated 30 (plus or minus) feet West and 20 (plus or minus) feet South of the centerline intersection of Hickory Tree Road and Rollingwood Lane; thence Southwesterly along the South right-of-way of Rollingwood Lane, 250 feet to proposed manhole #15; thence Westerly along the South right-of-way of Rollingwood Lane, 200 feet terminating at a proposed manhole #16, said manhole being situated within the right-of-way of Rollingwood Lane and lying 40 (plus or minus) feet East of the Northwest corner of Lot #43 in WOODMONT, SECTION 4.

All sewers consist of 4510 ± L.F. of 8 -inch and 10 - inch, of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particulary set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by HInga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-44-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-11

SPECIAL ORDINANCE NO. S-45-78

AN ORDINANCE approving a contract with
Roberts Development Corp. for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated February 23, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Roberts Development Corp., for:

MAIN LINE: Commencing at an existing sanitary sewer manhole located 17 ± LF East of and 9 ± South of the Southwest corner of Lot #42 of Curdes Homewood Acres Addition; thence West 172 ± LF parallel with Columbia Avenue to a proposed cleanout located 54 ± LF West of and 9 ±LF South of the Southeast corner of Curdes Homewood Acres Addition.
LATERAL #1: Commencing at a proposed manhole on the main line located 4 ± LF West of and 9 ± LF South of the Southwestern corner of Lot #38 of Curdes Homewood Acres Addition; thence North 100 ± LF terminating at a proposed bulkhead.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: Non
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-45-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-12

SPECIAL ORDINANCE NO. S-46-78

AN ORDINANCE approving City Utilities
Purchase Order No. 9800 with Tab Products
Company, Represented by A. A. Billain
Comapny for materials for City Utilities
Data Processing Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9800, dated February 27, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Tab Products Company, Represented by A.A. Billain Company, for the purchase of One #2476 Tab Variable Speed Burster, at a cost of $2,680.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of PUrchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-46-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-13

SPECIAL ORDINANCE NO. S-47-78

AN ORDINANCE approving Change Order No. 19
in connection with Water Pollution Control
Plant Addition, Division I.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 19 to Hagerman-Shambaugh in connection with Water Pollution Control Plant Addition, Division I, for modification fo Stormwater Lift Station facility;

Install Enclosed Dry Typy 1121/2 KVA, 4160/480 Volt, 3 Phase, 3 Wire Transformer; Two 15A/3P Circuit Breakers, One 150A/3P Cirucit Breaker, Six Size (1) Starters, One FVNR Size (2) Starter, One Pump Alternator and One 175/A3P Main Cirucit Breaker, Installation of Motor Control Center: Relocate Registor Banks, with Four Concrete Protective Posts, Installation of Two Stormwater Pumps and accompanying Water Seal and Water Lubrication Syster with necessary labor and materials for wiring accompanying above Project.

in the amount of $50,520.95, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-47-78 on the 28th day of March, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of March, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-77-05-24 -- ANNEXATION ORDINANCE NO. X-01-78 WAS VETOED BY MAYOR ROBERT E. ARMSTRONG --- THIS BILL IS PRESENTED BY THE CITY CLERK TO THE COMMON COUNCIL FOR CONSIDERATION.

BILL NO. X-77-05-24 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-LOST

AN ORDINANCE annexing certain territory
to the City of Fort Wayne, and including
the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, towit:

Beginning at the Northeast Corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 31 North, Range 12 East, thence westerly along the south line of the north half of the north half of said Sections 13 and 14 to the west rightofway line of the Penn. Central Railroad Company's rightofway, thence south along said west rightofway to the north rightofway line of Interstate 69, thence in a northeasterly direction along the north rightofway line of Interstate 69 to the center line of Ludwig Road assumed common with the eastwest center line of said Section 14, thence east along the center line of said Sections 14 and 13 to the southeast corner of the southwest quarter of the Northwest 1/4 of said Section 13, thence north along the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 13 to the point of beginning.

The above described area containing approximately 200 acres.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of (3) three years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Article II of the code of the City of Fort Wayne, Indiana 1974.

SECTION 5. The effective date for this annexation is February 28, 1981.

SECTION 6. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and sixty days after final publication thereof as required by law, but shall not take effect until February 28, 1981.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Five
Hinga, Moses, Nuckols, Stier, Talarico
Nays: Nays: Two
D. Schmidt, V. Schmidt
Abstained: One
Burns
Absent:: One
Hunter

Date: 3-28-78

Charles W. Westerman
City Clerk

MAYOR'S VETO SUSTAINED --- ORDINANCE LOST -- A 2/3 VOTE NEEDED TO OVERRIDE THE MAYORS VETO.

BILL NO. S-78-03-17

SPECIAL ORDINANCE NO. S-48-78

AN ORDINANCE approving an Agreement
to Purchase Real Estate from Mr. Virgil
L. Christman for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated March 6, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mr. Virgil L. Christman, for:

The West 18 feet Lot 173 and the East 18 feet Lot 174
in Lasalles Addition to Fort Wayne

for the total cost of $5,000.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-48-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-18

SPECIAL ORDINANCE NO. S-49-78

AN ORDINANCE approving an Agreement
to Purchase Real Estate from Mrs. Mary
Meeks for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated March 13, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mrs. Mary Meeks, for:

Lot #10, L.M. Jones Sub.

for the total cost of $5,000.00, all as more particularly set forth in said contract which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S- 49-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-19

SPECIAL ORDINANCE NO. S-50-78

AN ORDINANCE approving a Purchase
Order with Maxwell Tree Expert Company
for landscaping 1215 Jackson Street,
Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Purchase Order, (No. 402289) dated March 16, 1978 by the City of Fort Wayne to Maxwell Tree Expert Company for Neighborhood Care, Inc. (CD&P), for:

Landscaping 1215 Jackson Street, Fort Wayne
Indiana (West Central Neighborhood Association)

at a price of $4,135.41; all as more particularly set forth in said Purchase Order, which is on file in the Office of the Purchasing Director and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
CityClerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-50-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-04-02

RESOLUTION NO. R-18-78

A RESOLUTION designating the State Coordinating Officer as City of Fort Wayne, Indiana's agent for the purpose of obtaining certain financial assistance under the Disaster Relief Act

WHEREAS, on March 30, 1978 the President of the United States declared Fort Wayne, Indiana a disaster area as a result of the flooded conditions; and,

WHEREAS, the Common Council of the City of Fort Wayne, Indiana is required by resolution to request that the State Coordinating Officer be authorized on behalf of said City to make a project application and do any other acts required for obtaining certain Federal Federal Financial assistance under the Disaster Relief Act Amendments of 1974.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Milton M. Mitnick, State Coordinating Officer is hereby authorized to execute for and on behalf of Fort Wayne, Indiana, a public entity established under the laws of the State of Indiana, a project application and advance of funds and to file it in the appropriate State Office for the purpose of obtaining certain Federal Financing Assistance under the Disaster Relief Act Amendments of 1974 (Public Law 288, 93rd Congress).

Passed and approved this 11th day of April. 1978.
by the Common Council of the City of Fort Wayne, Indiana

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-18-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

CERTIFICATION

BILL NO. R-78-04-02 RESOLUTION NO. R-18-78

I, Charles W. Westerman, duly appointed Acting Clerk, of the City of Fort Wayne, Indiana, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Common Council of Fort Wayne, Indiana, on the 11th day of April, 1978.

DATE: April 11, 1978

Charles W. Westerman
Acting Clerk, of the City of
Fort Wayne, Indiana

BILL NO. R-78-04-04

RESOLUTION NO. R-19-78

A RESOLUTION authorizing the filing of
an application for Urban Development Action
Grant funds for the Civic Center Parking
Garage

WHEREAS, the overall economic development plan has been developed for Allen County by an economic development task force, and

WHEREAS, the overall economic development plan identifies the importance of revitalizing downtown Fort Wayne, and

WHEREAS, the City's Community Development Plan also identifies the needs to revitalize the downtown area, and

WHEREAS, the Housing and Urban Development Act of 1977 makes available Urban Development Action Grants to certain cities for economic revitalization, and

WHEREAS, the City of Fort Wayne has been found eligible by the Department of Housing and Urban Development to apply for such an Urban Development Action Grant, and

WHEREAS, it has been determined that the construction of a parking garage in the Civic Center Urban Renewal Project will aid in the revitalization of the downtown area, and

WHEREAS, of the cost of such garage, $1,462,000 can be funded by a grant as aforesaid, if properly and duly applied for.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That an application for Urban Development Action Grant funds in the amount of $1,462,000. to be used for a portion of the construction costs of a garage in the Civic Center Urban Renewal Project, is hereby approved.

SECTION 2. That the Mayor is hereby authorized to execute

and submit said application to the Department
of Housing and Urban Development

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-19-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-10-12

CITY PLAN COMMISSION

22 March 1978

Mrs. Vivian Schmidt, Councilwoman CityCounty Building One Main Street Fort Wayne, Indiana 46802

Dear Vivian:

Attached are the comments from the public utility companies regarding Bill No. G-77-10-12. As you will see they do require easements for this vacation. In order for these easement rights to be retained the last paragraph of the Board of Works Resolution must be read and incorporated into Council proceedings.

We would appreciate your cooperation as Chairperson of the Regulations Committee in bringing this matter to the attention of City Council, prior to the vote.

Thank you.

Sincerely,

Gary F. Baeten
Land Use Administrator

RESOLUTION

WHEREAS, the FORT WAYNE DEVELOPMENT COMMISSION, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated street located in Fort Wayne, Allen County, Indiana, to wit:

King Street from the South rightofway line of
Wayne Street to the North rightofway line of
Washington Boulevard.

WHEREAS, said vacation of dedicated street has been submitted to and approved by the following department of the City of Fort Wayne: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Park Board, Electrical Engineering, and through Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOVED by the Board of Public Works that the vacation of said public street, hereinbefore described be and the same is hereby approved and easement rights be retained over the entire street rightofways of the aforedescribed street, that the vacation of said dedicated street shall not have the effect of depriving any public utility using and occupying said dedicated public street at this time of the use of said dedicated public utility easement for the location and operation of its utility facilities.

APPROVED.

DATED THIS 22 DAY OF March, 1978

Henry Wehrenberg, Chairman

Ethel LaMar, Member

Max G. Scott, Member

BILL NO. G-77-10-12

GENERAL ORDINANCE NO. G-10-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a a certain Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to-wit:

King Street from the South right-of-way line of Wayne Street to the North right-of-way line of Washington Boulevard.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-10-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-02-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. 0-2 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Vivian G. Schmidt
John Nuckols
William T. Hinga
Donald J. Schmidt
James S. Stier

Concurred in 4-11-78

Charles W. Westerman
City Clerk

BILL NO. S-78-03-27

SPECIAL ORDINANCE NO. S-51-78

AN ORDINANCE approving a Contract for
Sewer Improvement Resolution No. 298-1977
(Phase I), between the City of Fort Wayne,
Indiana and Winzeler Excavating Co.,
Inc., for installation of Sewer involving
Leo, Brooks, St. Joe and Rothman Roads,
at a cost of $228,959.00

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain Contract, dated March 22, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Winzeler Excavating Co., Inc., for:

Installation of a Sewer involving Leo,
Brooks, St. Joe and Rothman Roads

under the Board of Public Works Sewer Improvement Resolution No. 2981977 (Phase I), at a total cost of $228,959.00 all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-51-78 on the 11th day of April, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-28

SPECIAL ORDINANCE NO. S-52-78

AN ORDINANCE approving an Agreement
with Morris Liechty, Developer, for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated March 22, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Morris Liechty, Developer, for:

Extension of sewer services to Oak Grove Estates Dupont and Tonkel Roads area, for;

Sanitary Sewer

"Beginning at a sanitary sewer manhole located at 1000 ± ft. west of and 50 ± ft. north of intersection of Dupont and Tonkel Roads, thence easterly 200 ± LF to a proposed manhole, thence northeasterly following the meanderings of an existing ditch 700 ±.LF to a proposed manhole located 300 ± LF west of and 450 ± LF north of centerline of said intersection of Dupont and Tonkel Roads, thence due east 350 ± LF east of centerline of said intersection of Dupont and Tonkel Roads, thence due north 650 ± LF along and parallel to the east right-of-way of Tonkel Road terminating at a proposed manhole."

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-52-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-29

SPECIAL ORDINANCE NO. S-53-78

AN ORDINANCE approving Change Order
No. 1 in connection with Street
Improvement Resolution No. 5782-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Servelect, Inc., in connection with Street Improvement Resolution No. 57821977, for:

Installation of additional wiring and conduits, switches and some explosionproof wiring and fixtures to improve working conditions at Street Department Storage Garage

in the amount of $4,887.79, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-53-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-30

SPECIAL ORDINANCE NO. S-54-78

AN ORDINANCE approving a Contract for Sewer Improvement Resolution No. 298-1977 (Phase II), between the City of Fort Wayne, Indiana and Spears-Dehner, Inc. for Rothman Road Sewer Installation at a cost of $186,232.49

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain Contract, dated March 22, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and SpearsDehner, Inc., for:

Rothman Road Sewer Installation

under the Board of Public Works Sewer Improvement Resolution No. 2981977 (Phase II), at a total cost of $186,232.49, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-54-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-31

SPECIAL ORDINANCE NO. S-55-78

AN ORDINANCE approving an Agreement
with Henry B. Steeg & Associates,
for additional Engineering Services
on Expansion of Wastewater Treatment
Facilities

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated March 22, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Henry B. Steeg & Associates, for:

Additional Engineering Services on Expansion of Wastewater Treatment Facilities requested through Change Orders 18 and 19 to the Water Pollution Control Plant Expansion Project

for an amount to be determined by the current Federally Audited Overhead Factor, all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-55-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-32

SPECIAL ORDINANCE NO. S- 56-78

AN ORDINANCE approving an agreement with
Henry B. Steeg & Associates for Engineering
Services for Additions and Improvements
to Wastewater Facilities

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the agreement dated March 20, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Henry B. Steeg & Associates, for:

> For engineering services to design Advance Wastewater Treatment Facilities necessary to meet our National Pollutant Discharge Elimination System (NPDES) Permit as issued by State of Indiana,

for an amount to be determined by the current Federally Audited Overhead Factor, all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-56-78 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-03-33

SPECIAL ORDINANCE NO. S-57-78

AN ORDINANCE approving City Utilities Purchase Order No. 9833 with Kitchen Machinery, Inc. for materials for the Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9833, dated March 9, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Kitchen Machinery, Inc., for the labor and material to completely overhaul the engine of AllisChalmers Front End Loader, Unit No. 139 belonging to the Water Pollution Control Plant, at a cost of $2,217.05, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-57-77 on the 11th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-04-20 (As Amended)

RESOLUTION NO. R-20-78

A RESOLUTION AMENDING RESOLUTION NO. R-45-77 DESIGNATING FIRST PRIORITY LOCATION FOR CONSTRUCTION OF ASSISTED HOUSING PRIMARILY FOR THE ELDERLY

SECTION 1. This Resolution hereby amends Resolution No. R4577 to read as follows:

WHEREAS, heretofore by Resolution No. R9676 dated December 14, 1976, the Common Council of the City of Fort Wayne, Indiana did call upon the U.S. Department of Housing and Urban Development (Indianapolis Area Office) to approve; and

WHEREAS, under the Federal Housing and Community Development Acts of 1974 and 1977, Title II Funds exist for the construction of subsidized housing projects in the City of Fort Wayne, Indiana; and

WHEREAS, the City of Fort Wayne, Indiana is required to designate locations for assisted housing in its Housing Assistance Plan(HAP); and

WHEREAS, the Common Council of the City of Fort Wayne, Indiana desires to designate that first prioirty be given to that portion of land included within NDP Block No. 1 and Maumee Terrace, bounded by Wayne Street on the north, Washington Boulevard on the south, Francis Street on the west and Comparet Street on the east, which is included within census tract No. 14, for the construction of housing primarily for the elderly.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, fully supports efforts to obtain additional assisted housing developments of new construction on suitable locations citywide after the fulfillment of above first priority designation .

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana hereby designates that first priority for the construction of at least 166 units of housing primarily for the elderly and funded by the United States Department of Housing and Urban Development be given to that portion of land located within NDP Block No. 1 and Maumee Terrace bounded by Wayne Street on the North, Washington Boulevard on the South, Francis Street on the West, and Comparet Street on the East, which is included within census tract No. 14.

SECTION 2. BE IT FURTHER RESOLVED, That the City of Fort Wayne, Indiana will assist and cooperate with the development of other such housing projects where appriate throughout the City after the fulfillment of above priority designation set forth in Section 1 thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Moses, Nuckols

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-20-78 on the 25th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-04-21 (As Amended)

RESOLUTION NO. R-21-78

RESOLUTION APPROVING APPLICATION FOR
PROGRAM RESERVATION AND PRELIMINARY
LOAN FOR LOW-RENT PUBLIC HOUSING

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under the provision of the United States Housing Act of 1937, as amended, the United States of Amercia, acting through the Secretary of Housing and Urban Development (herein called the "Government"), is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise and that the Government shall not make any contract with a public housing agency for preliminary loans for surveys and planning in respect to any low-rent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such reservation and preliminary loan; and

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana (herein called the "Local Authority") is a public housing agency and is applying to the Government for a program reservation and preliminary loan to cover the costs of surveys and planning in connection with the development of low-rent housing;

NOW THEREFORE, be it resolved by the Common Council of the City of Fort Wayne, Indiana as follows:

1. That there exists in the City of Fort Wayne, Indiana a need for such low-rent housing.

2. That the applicationof the Local Authority to the Government for a program reservation and preliminary loan in an amount not to exceed $37,500 for surveys and planning in connection with acquisition and substantial rehabilitation of existing housing of not to exceed approximately seventyfive (75) dwelling units is hereby approved.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Moses, Nuckols

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-21-78 on the 25th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-77-04-22

RESOLUTION NO. R-22-78

A RESOLUTION authorizing the Mayor and the Department of Community Development and Planning to negotiate and enter into an agreement with the architectural firm of Crumlish/Sporleder and Associates to perform a Cultural Resources Survey (historic preservation).

WHEREAS, there is a need for the City of Fort Wayne, to have a survey conducted to identify its meritorious historic cultural and architectural resources; and

WHEREAS, the major purposes for such a survey are to improve the data base for making local planning decisions relative to zoning and land use, to improve the capacity of the City to prepare applications and environmental reviews pertinent to federally funded activities, and to provide City staff, the Plan Commission, Mayor and Council with a data base which can be used to improve their knowledge about the relative historic and architectural significance of structures, places and objects in the community.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Mayor of the City of Fort Wayne and the Department of Community Development and Planning are hereby authorized to negotiate and enter into an agreement with the architectural firm of Crumlish/Sporled and Associates to perform a Cultural Resources Survey (historic preservation) in accordance with the attached proposal.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Burns
Absent: Three
Hinga, Moses, Nuckols

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resoluiton No. R-22-78 on the 25th day of April, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-04-23

RESOLUTION NO. R-23-78

A RESOLUTION authorizing payment to
various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	VEHICLE	INSURANCEE PAYMENT	REPAIR AGENCY
1)	Police Dept. vehicle 1976 Plymouth, 4 door sedan License #MO11116	$ 715.98	Northway Chrysler Plymouth
2)	Fire Dept. vehicle No. 230, 1975 Mack Pumper	681.00	Fire Apparatus Co., Inc.
3)	Police Dept. vehicle 1977 Chevrolet, 4 door sedan License #57A3760	104.25	Fleet Reconditioning Inc.
4)	Street Dept. vehicle No. 201, 1975 Chevrolet, 4 door sedan License #23149	126.00	DeHaven Chevrolet
5)	Police Dept. vehicle 1976 Ford, 4 door sedan License #11103	225.41	Northway Chrysler Plymouth
6)	Police Dept. vehicle 1977 Plymouth Sedan License #11139	433.44	Northway Chrysler Plymouth
7)	Police Dept. vehicle 1974 Ford License #2E99964	572.00	Allen County Motors

8)	Police Dept. vehicle 1976 Ford License #11142	242.20	Allen County Motors
9)	Fire Dept. vehicle No. 226, 1975 Mack Pumper License #	206.20	Meek Mack, Inc
	Total	$3,306.48	

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, Moses

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-23-78 on the 25th day of April, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-07

SPECIAL ORDINANCE NO. S-58-78

AN ORDINANCE approving a contract for Improvement Resolution No. 128-1977, between the City of Fort Wayne, Indiana and Schmidt Electric, Inc., for installation of ornamental street lighting in Anthony Wayne Village, Section 7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated March 23, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and Board of Public Works, and Schmidt Electric, Inc. for the installation of ornamental street lighting with underground wiring in Anthony Wayne Village, Section 7, under Board

of Public Works Improvement Resolution No. 1281977, at a total cost of $22,110.98, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, Moses

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-58-78 on the 25th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-08

SPECIAL ORDINANCE NO. S-59-78

AN ORDINANCE approving Change Order
No. 1 in connection with Contract No. 77-W-1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Hagerman Construction Corporation, in connection with Water Works Improvements Wash Water Retention Basin, Contract No. 77W1, for:

Additional reinforced Piling, reinforcing bars in
bottom slab of Basin and additional adjustments
for same.

in the amount of $22,036.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hunter, Nuckols, Moses

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-59-78 on the 25th day of April, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-09

SPECIAL ORDINANCE NO. S-60-78

AN ORDINANCE approving City Utilities Purchase Order No. 9558 with Rockwell International Municipal & Utility Division for materials for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9858, dated March 22, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Rockwell International Municipal & Utility Division, for Tapping Sleeves for the Water Maintenance and Service Department, at a cost of $4,116.33, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Moses, Nuckols

Date: 4-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-60-78 on the 25th day of April, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-16

SPECIAL ORDINANCE NO. S-61-78

AN ORDINANCE approving a certain bid
document for purchase of 7 police
vehicles for Board of Public Safety

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid doument Ref. No. 830 dated March 30, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Allen County Motors, Inc., for the purchase of seven (7) Police vehicles at a total cost of $32,425.60, all as more particularly set forth in said bid document Ref. No. 830 and Purchase Order No. 402397E, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-61-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-17

SPECIAL ORDINANCE NO. S-62-78

AN ORDINANCE approving a certain bid
document for purchase of twenty-one police
vehicles for Board of Public Safety

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 830 dated April 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Hoosier Ford, Inc., for the purchase of twentyone (21) Police vehicles, at a total cost of $92,081.75, all as more particularly set forth in said bid document Ref. No. 830 and Purchase Order No. 402398E, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-62-78 on the 8th day of May, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-18

SPECIAL ORDINANCE NO. S-63-78

AN ORDINANCE approving a certain bid
document for purchase of one air
compressor for Board of Public Safety

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 828, dated March 22, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Sub Aquatics, Inc., for one (1) Air Compressor, at a total cost of $5,000.00, all as more particularly set forth in said bid document Ref. No. 828 and Purchase Order No. 402402H, which are on file in the Office of the Department of Purchasing

and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-63-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-19

SPECIAL ORDINANCE NO. S-64-78

AN ORDINANCE approving a contract
between International Harvester Company
and the City of Fort Wayne by and through
its Department of Public Safety, for fire
protection

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract,dated March 26, 1978, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and International Harvester Company for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

All buildings and improvements of the International Harvester Company located in an area bounded by New Haven Avenue on the North; Meyer Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street extended), with the exception of the ND Warehouse property (Harback Realty Co.) located on the SE corner of the above area, which said area is visually shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That the cost to International Harvester Company shall be the sum of $63,351.79, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-64-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-02-10

ZONING MAP ORDINNACE NO. Z-09-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. N22, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot numbered 96 in Third Highland Park Addition
to the City of Fort Wayne, Indiana, more commonly
known as 507 Constance Avenue, Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-09-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-03-23

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N22, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot #27 & 28 in Highland Park, Section 25, Washington Township, more commonly known as 516 Cumberland Avenue, Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: ONe
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

BILL NO. Z-78-03-24

ZONING MAP ORDINANCE NO. Z- LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. K18

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R2 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974, and the symbols of the City of Fort Wayne Zoning Map No. K18, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

The West 75 feet of East 150 of Lot 76 in
Lillie Place Addition, Wayne Township, Fort
Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

BILL NO. G-78-03-26

GENERAL ORDINANCE NO. G-11-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of a
certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

The East-West alley from the East right-of-way line of Clinton Street to the West right-of-way line of Barr Street, lying between Lots 40 through 47 on the North and Lots 76 through 83 on the South, all in Hamilton's Second Addition to the City of Fort Wayne, according to the recorded plat thereof

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmid, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-11-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-27

SPECIAL ORDINANCE NO. S-65-78

AN ORDINANCE approving an Agreement
with AM-CAL Construction Corp., for
construction of a sanitary sewer for Kinney Shoes

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated April 7, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and AMCAL Construction Corp., for:

Sanitary sewer to serve the proposed new Kinney Shoe Store, which is planned for North side of East State Blvd., 400' West of Maplecrest Road,

SANITARY SEWER

"Beginning at an existing sanitary sewer manhole located within the existing 60 feet Indiana and Michigan Electric Company Transmission line right-of-way and 190 ± LF South of the centerline of Hicksville Road and East State Blvd., all located within the Northeast 1/4 of Section 33, T 31 N, R 13 E; thence due North 200 ± LF to a proposed manhole located 35 +- LF West of and 25 ± LF North of the centerline intersection of said Indiana and Michigan Electric Company right-of-way and Hicksville Road; thence Northeast 800 ± LF terminating at a proposed manhole located 300 ± LF West of and 35 ± LF North of the centerline interesection of Maplecrest Drive and said Hicksville Road."

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-65-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-28

SPECIAL ORDINANCE NO. S-66-78

AN ORDINANCE approving Change Order
No. 1 in connection with Sidewalk
Resolution No. 5737-1976

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Carrington & Associates, Inc., in connection with Sidewalk Resolution No. 57371976, for:

Additional sidewalk removal, paraplegic
ramps and curb replacement for Beaver Avenue

in the amount of $6,787.15, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-66-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-29

SPECIAL ORDINANCE NO. S-67-78

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5794-1978, between the City of Fort Wayne, Indiana and Brooks Construction Co., Inc., for resurfacing the 2200 block of Main Street at a cost of $10,467.50

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 12, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and Board of Public Works, and Brooks Construction Co., Inc., for:

Improving surface street drainage and resurfacing within 2200 block of West Main Street,

under Board of Public Works Street Improvement Resolution No. 57941979, at a total cost of $10,467.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-67-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-30

SPECIAL ORDINANCE NO. S-68-78

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5797-1978,
between the City of Fort Wayne, Indiana and
Spears-Dehner, Inc., Contractor for resurfacing
certain streets at a cost of $1,646,196.00

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 12, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and SpearsDehner, Inc., Contractor, for reconstruction of existing curbs, sidewalks, storm sewers and street pavement by resurfacing the following streets:

Jefferson Street from Garden Lane to Harmar Street,
Maumee Avenue from Harmar Street to Glasgow Avenue, and
Washington Boulevard from Thieme Drive to Harmar Street

under Board of Public Works Street Improvement Resolution No. 57971978, at a total cost of $1,646,196.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-68-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-31

SPECIAL ORDINANCE NO. S-69-78

AN ORDINANCE approving City Utilities
Purchase Order No. 9871 with General
Electric Service Shop to repair equipment
belonging to the Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9871, dated April 14, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Service Shop, for repair of one General Electric verticle pump motor for No. 4 stormwater pump, Morton Street Station, belonging to the Water Pollution Control Plant, at a cost of $3,721.30, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-69-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-32

SPECIAL ORDINANCE NO. S-70-78

AN ORDINANCE approving City Utilities
Purchase Order No. 9812 with Stockberger
Machinery, Inc., for supplies for the Water
Pollution Control Maintenance Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9812, dated April 6, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Stockberger Machinery, Inc., for supplies (various pumps, hoses and fittings) for the Water Pollution Control Maintenance Department, at a cost of $5,110.13, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof,

be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-70-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-34

SPECIAL ORDINANCE NO. S-71-78

AN ORDINANCE approving an Agreement with
Joseph Zurzolo, Developer, for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated April 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Joseph Zurzolo, Developer, for:

Sanitary Sewer

"Beginning at an existing sanitary sewer manhole located 220 ± L.F. west of and 50 ++ L.F. north of the centerline intersection of Clinton Street and Glenn Ave., thence northwesterly 400 ± L.F. terminating at a proposed manhole."

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stoer and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-71-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-35

SPECIAL ORDINANCE NO. S-72-78

AN ORDINANCE approving City Utilities
Purchase Order No. 9892 with Millcraft
Paper Company for materials for the
Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9892, dated April 6, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Millcraft Paper Company for envelopes and paper for the Office Services Department, at a cost of $3,702.50, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hunter

Date: 5-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-72-78 on the 8th day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of May, 1978, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-05-15

RESOLUTION NO. R-24-78

A RESOLUTION CONGRATULATING RADIO STATION WLYV ON ITS SPONSORSHIP OF THE COUNTRY JAMBOREE AND TRUCK ROADEO

WEHERAS, the Fort Wayne Horizons Council, Chamber of Commerce and other interested community growth organizations along with the Mayor of the City of Fort Wayne have stated their wholehearted support of WLYV County Jamboree and Truck Roadeo on May 2021, 1978;

WHEREAS, said Country Jamboree and Trucking Roadeo will focus special attention on enhancing transportation facilities in which the trucking industry in the City of Fort Wayne is such an important part.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That Radio Station WLYV be congratulated on its sponsorship of this important activity;

BE IT FURTHER RESOLVED: That the Common Council urges citizens of the City of Fort Wayne to participate in this important event.

Winfield C. Moses, Jr.
Councilman

SPECIAL ACTION ON THE ABOVE ORDINANCE

ASSEMBLY OF ALL THE COMMON COUNCIL MEMBERS PURSUANT TO A ROLL CALL ORDERED BY THE PRESIDENT OF COMMON COUNCIL, SAMUEL J. TALARICO, AT THE COMMITTEE SESSION, ON MAY 16, 1978, AT 7:30P.M. O'CLOCK, A FORMAL CONGRATULATORY RESOLUTION WAS PASSED UNANIMOUSLY. (BILL NO. R780515 RESOLUTION NO. R2378)

(PLEASE NOTE THIS ASSEMBLY WAS NOT A SPECIAL SESSION OF COMMON COUNCIL)

BILL NO. S-78-04-13

SPECIAL ORDINANCE NO. S-73-78

AN ORDINANCE creating the Department of Public Affairs

WHEREAS, the functions formerly performed by the Department of Human Resources can better be performed by coordination with other departments; and

WHEREAS, a need exists to improve the services offered to the neighborhood associations by city government; and

WHEREAS, a need exists to coordinate the efforts of the Citizens Assistance and Citizens Participation and the Ombudsman; and

WHEREAS, an improvement of these services includes an improvement in communication between the neighborhood associations and the Mayor's Office.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Department of Public Affairs is hereby created.

SECTION 2. That the Department of Public Affairs will perform such functions as dissemination of news about activities and events in city government; the overseeing and publishing of city pamphlets, brochures, leaflets and informational material, handling the day to day relations with members of the news media; preparing ceremonial documents, such as proclamations and certificates of commendation; provide information about the City of Fort Wayne; working to maintain a positive image for the community; act as a liaison and maintain an open relationship between the City Administration and the citizen; receive calls regarding complaints and problems the citizen feels should be brought to the attention of City Government; listen and discuss problems or complaints as an aid to the citizen to sort out responsibility and solution; use verbal and written communications as a procedure for communicating and solving problems and complaints; follow-up on specific problems to the satisfaction of everyone involved; serve as a liaison between Neighborhood Associations and the City Government; assist neighborhood groups from recognized associations in an orderly and functional manner and inform the members of the services offered and available from the City; work closely with the Community Development and Planning Department; assist in the arrangement of grant hearings for target neighborhoods in assessing the results; assist the target neighborhoods in special projects by coordinating the efforts of the participating parties; respond to requests from citizens and Neighborhood Associations for assistance in obtaining city services and for speakers for association meetings; maintain an up-to-date file of all Neighborhood Associations, their presidents, meeting dates, and make it available to all City Departments and other interested persons, act as a clearing house for city improvement activities and the neighborhood associations, informing the latter in advance of proposed city improvements, i.e. alley, street, sidewalk, sewer improvements; provide the office service for the Mayor's Voluntary Participation Committee; providing the mailing service for Minutes and Agendas as requested; and to act as the sponsoring agency for leadership seminars to acquaint citizens and neighborhood groups with the functions of city government.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Talarico
Nays: Two
Moses, Stier
Abstained: One
Nuckols

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-73-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-15

SPECIAL ORDINANCE NO. S-74-78

AN ORDINANCE abolishing the Department of Human Resources

WHEREAS, a need exists to establish a coordinated effort to assist citizens in an efficient manner; and

WHEREAS, by abolishing the Department of Human Resources the Department of Public Affairs will then be created to better co-ordinate the efforts of the Citizens Assistance and Citizens Participation and the Ombudsman.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Ordinance No. S0872 is hereby repealed and the DEpartment of Human Resources is abolished.

SECTION 2. Functions of said Department of Human Resources shall be merged into other Department of City Government.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: Three
Moses, Nuckols, Stier

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-74-78 on the 23rd day of May, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-03

SPECIAL ORDINANCE NO. S-75-78

AN ORDINANCE approving Civil City Purchase Order No. 4-02393 with Hefner Chevrolet, Inc. - Northside Leasing for vehicles furnished to Board of Public Works and Communications Dept. for two years

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City Purchase Order No. 4-02393, dated March 20, 1978, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Hefner Chevrolet, Inc. Northside Leasing, for furnishing two 1978 Chevrolet Blazers CK10516 with hard top for Lease by the Board of Public Works (One unit) and Communications Department (One Unit), for two years at a total cost of $6,977.76, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-75-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-04

SPECIAL ORDINANCE NO. S-76-78

AN ORDINANCE approving a certain bid document for purchase of paint and paint supplies for CD&P

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 825 dated March 10, 1978, between the City of Fort Wayne, by and through its Mayor and Community Development and Planning and Haffner Paint Company and Superior Paint Products, Inc., for the purchase of paint and paint supplies for the CD&P Summer Program, at a total cost of $11,914.80, all as more particularly set forth in said bid document Ref. No. 825 and Purchase Order No. 402438 and Purchase Order No. 402434, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-76-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-05

SPECIAL ORDINANCE NO. S-77-78

AN ORDINANCE approving Civil City Purchase Order No. 4-02430 with Allen County Motors, Inc. for three vehicles for the Street Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 402430, dated April 25, 1978, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Allen County Motors, Inc., for the purchase of three 4wheel drive 1978 Ford Broncos to be used in the Street Engineering Department Inspection Pool, at a cost of $18,692.85, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incoroporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-77-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-06

SPECIAL ORDINANCE NO. S-78-78

AN ORDINANCE approving Purchase Order
No. 4-02346 with Hefner Chevrolet for
leasing eight (8) vehicles for CD&P

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Purchase Order No. 402346, dated April 11, 1978, between the City of Fort Wayne, by and through the City Purchasing Director and the Community Development and Planning and Hefner Chevrolet, for leasing eight (8) vehicles (Chevrolet Chevettes 1TB68), at a cost of $21,302.40, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-78-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-05-24

RESOLUTION NO. R-25-78

A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the West Main Street Renewal Project Amended proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution - West Main Street Renewal Project Amended

WHEREAS, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution - West Main Street Renewal Project Amended on March 13, 1978, based on plans filed in the office of said Redevelopment Commission a copy of which REsolution is on file in the office of the Redevelopment Commission and is by reference incorporated herein and made a part hereof, and

WHEREAS, the Plan Commission of the City of Fort Wayne, at a meeting on March 27, 1978, adopted and issued a written order approving said Declaratory Resolttion and the Urban Renewal Plan refferred to therein relative to the said West Main Street Renewal Project Amended a copy of which Order is on file in the office of the Redevelopment Commission and is by reference incorporated herein and made a part hereof, and

WHEREAS, the foregoing actions set forth in Sections 1 and 2 herein of said Redevelopment Commission and said City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the said actions concerning the West Main Street Renewal Project Amended are hereby approved, ratified, and confirmed.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-25-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-05-25

RESOLUTION NO. R-26-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles.

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amount hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

Vehicle	Insurance Payment	Repair Agency
1) Police Dept. vehicle 1977 Plymouth, 4 door sedan License #11120	$ 900.82	Northway Chrysler Plymouth
2) Police Dept. vehicle 1977 Plymouth, 4 door sedan License #M011105	294.08	Northway Chrysler Plymouth
3) Park Dept. vehicle Ford 1977 Ford Van License #10162	1,087.98	Allen County
Total	$2,282.88	

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amount to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-26-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-12

SPECIAL ORDINANCE NO. S-79-78

AN ORDINANCE ESTABLISHING GUIDELINES
FOR THE FIRE DEPARTMENT TUITION
REFUND PROGRAM

WHEREAS, the Common Council of the City of Fort Wayne has allocated in the 1978 Budget a sum of $12,000 (Account Number 10730) to be used as a Tuition Refund Program for members of the Fort Wayne Fire Department; and

WHEREAS, the Common Council desires to specify guidelines for the use of said funds.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. Eligibility Requirements:

Any person who is an active member of the Fort Wayne Fire Department may qualify for the Fire Department Tuition Refund Program. Participation in the program is entirely voluntary. No guarantee of present status for future promotion is implied by approval of enrollment or successful completion of any course.

SECTION 2. Accepted Schools:

Courses may be taken at any college or university which is accredited by a recognized accreditation agency such as North Central, Western, or Southern Associations of Colleges.

SECTION 3. Approved Courses:

1. Courses selected must meet one or more of the following requirements:

a. Part of a curriculum leading to a degree in a Fire Department job-related field;

b. Expected to prepare the individual for future assignments within the Fort Wayne Fire Department;

c. Designed to improve the job performance of the fire fighter above basic skill levels;

d. Designed to provide both basic life support and advanced life support skills;

e. Approved courses also include those endorsed by the Engineer's Council at Universities that are members of the National University Extension Association, and those endorsed by the National Fire Prevention and Control Administration, or in the case of special jobrelated courses, by the Fire Chief of the Fort Wayne Fire Department.

2. All courses must consist of at least 40 instructional hours, unless hour requirements are waived by the Fire Chief.

SECTION 4. Reimbursement:

1. Members of the Fort Wayne Fire Department shall be reimbursed for the full amount of tuition, laboratory fees and textbooks if:

a. The individual has received approval by the Fire Chief of his application for the Fire Department Tuition Refund Program prior to course enrollment;

b. The original copy of paid receipts from the school or college, and evidence of a course grade of C or above be presented to the Office of the Fire Chief within 60 days after course completion.

SECTION 5. Exceptions to Reimbursement:

a. Governmental educational benefits, such as those under the G.I. Bill shall be used to pay any refundable costs before the Fire Department Tuition Refund Program funds are applied to those costs;

b. If for any reason a person cannot complete the course being taken, tuition and other expenses shall not be reimbursed through the Fire Department Tuition Refund Program;

c. Under no circumstances shall the Fire Department Tuition Refund Program provide payment for such expenses as transportation, parking fees, food, lodging, or other personal costs.

SECTION 6. Application for Fire Department Tuition Refund Program:

Procedures for application for the Fire Department Tuition Refund Program shall be formulated and made available to each member of the Fort Wayne Fire Department through the Office of the Fire Chief.

SECTION 7. Effective Date of Ordinance:

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-79-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-03-25

ZONING MAP ORDINANCE NO. Z-10-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot 145, except the East 10 feet thereof, and Lot
146, except the East 10 feet thereof, in Brookview
Addition to the City of Fort Wayne (known as 2019 North Clinton Street).

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-10-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-04-26 (AS AMENDED)

GENERAL ORDINANCE NO. G-12-78

AN ORDINANCE amending certain Sections
of Chapter 17 of the Code of the City of
Fort Wayne, Indiana of 1974

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 17, Article IV, Division 2, Section 1739 be and the same is hereby amended by adding to Schedule 2 in the Office of the City Clerk the following:

SPEED LIMIT - 25 MPH WHEN CHILDREN PRESENT

STREET	FROM	TO
Covington Road	Brooklyn Avenue	Edwards Street

SECTION 2. That Chapter 17, Article IV, Division 5, Section 1748 be and the same is hereby amended by adding to Schedule 4 in the Office of the City Clerk the following:

THRU STREET	FROM	TO
Winchester Road	Bluffton Road	South City limits except at Bluffton Rd., Baer Field Thruway and Lower Huntington Rd.

SECTION 3. That Chapter 17, Article VII, Division 2, Section 1790 be and the same is hereby amended by adding to Schedule 7 in the Office of the City Clerk the following:

NO PARKING

STREET	SIDE	FROM	TO
Brackenridge St.	south	Calhoun St.	160 ft. west thereof
Baker St.	north	Calhoun St.	210 ft. west thereof
Baker St.	south	Calhoun St.	Clinton St.
California Rd.	south	Clinton St.	Parnell Ave.
Rudisill Blvd.	both	Weisser Park Ave.	Anthony Blvd.

NO PARKING 6:00AM - 9:00PM AND 3:00PM - 6:00PM

STREET	SIDE	FROM	TO
Rudisill Blvd.	north	Lillie St.	Winter St.

SECTION 5. That Chapter 17, Article VII, Division 2, Section 1793(c) be and the same is hereby amended by adding to Schedule 12 in the Office of the City Clerk the following:

TWO HOUR PARKING 8:00AM - 6:00PM

STREET	SIDE	FROM	TO
Maumee Ave.	south	Edsall Ave.	White Ave.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-12-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-04-33

SPECIAL ORDINANCE NO. S-80-78

AN ORDINANCE approving a Supplemental
Sanitary Sewer Treatment Agreement between
the City of Fort Wayne and the City of New Haven

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated July 21, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the City of New Haven, for:

> Supplemental sanitary sewer treatment service to the City of New Haven in compliance with certain orders of the Stream Pollution Control Board of the State of Indiana,

all according to the rules and regulations approved by the Stream Pollution Control Board of the State of Indiana and Fort Wayne City Council, all as more particulary set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-80-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1978, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of May, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-21

SPECIAL ORDINANCE NO. S-81-78

AN ORDINANCE approving Change Orders
Nos. G-1, G-2, and G-3 in connection
with Restoration of the Old City Hall

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Orders Nos. G1, G2, and G3 to W. A. Sheets & Sons, Inc., in connection with restoration of the Old City Hall, for:

> Changing work at certain windows per architect's letter, finish hardware, concrete block color change, addition of outside drain opening, and exterior repair work to the Old City Hall building,

in the amount of $29,221.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-81-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-07

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance TO ESTABLISH COLLECTIVE AGREEMENT PROCEDURES BETWEEN THE CITY OF FORT WAYNE AND EMPLOYEES OF THE FIRE AND POLICE DEPARTMENTS OF THE CITY OF FORT WAYNE have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN

William T. Hinga
Vivian G. Schmidt
John Nuckols
Paul M. Burns
Fredrick R. Hunter

Concurred in 6-13-78

Charles W. Westerman
City Clerk

BILL NO. G-78-05-20

GENERAL ORDINANCE NO. G-13-78

AN ORDINANCE amending Sec. 2-3 of the Code
of the City of Fort Wayne, Indiana of 1974

WHEREAS, the 1978 Regular Session of the Indiana General Assembly enacted Public Law 89 by which the rights, powers and duties of the County Treasurer as ex officio City Treasurer are transferred to and conferred upon the City Controller and upon assuming the same the City Controller is required to execute a surety bond in an amount therein specified and subject to the approval of this body.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Sec. 2-3 of the Code of the City of Fort Wayne, Indiana of 1974 is hereby amended as follows:

a. by deleting the words:
"City Treasurer..... $100,000.00, and

b. by changing the words:
"City Controller..... $ 50,000.00"

to read:
"City Controller..... $100,000.00";

so as to eliminate any listing as to a City Treasurer and double the amount of the surety bond required for the City Controller by reason of the assumption by him of the rights, powers and duties heretofore performed by the County Treasurer as ex officio City Treasurer; and this Ordinance shall be deemed to constitute the approval of this body of the surety bond required for the City Controller including for the additional capacity conferred upon him by said P.L. 89.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and due legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight -- Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-13-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-22

SPECIAL ORDINANCE NO. S-82-78

AN ORDINANCE approving an Agreement
to purchase Real Estate from Mrs. Henry E.
Feltz for Neighborhood Care, Inc.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated April 24, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mrs. Henry E. Feltz, for:

E1/2 of lot 175 Lasalles Addition

for the total cost of $4,500.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent; One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-82-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-06-10

RESOLUTION NO. R-28-78

A RESOLUTION approving application for
Program Reservation and Preliminary
Loan for Low-Rent Public Housing

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, the United States of America, acting through the Secretary of Housing and Urban Development (herein called the "Government"), is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise and that the Government shall not make any contract with a public housing agency for preliminary loans for surveys and planning in respect to any low-rent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such reservation and preliminary loan; and

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana (herein called the "Local Authority") is a public housing agency and is applying to the Government for a program reservation and preliminary loan to cover the costs of surveys and planning in connection with the development of low-rent housing;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there exists in the City of Fort Wayne, Indiana a need for such low-rent housing.

SECTION 2. That the application of the Local Authority to the Government for a program reservation and preliminary loan in an amount not to exceed $30,000 for surveys and planning in connection with acquisition and development of one-hundred and fifty (150) new dwelling units is hereby approved.

SECTION 3. That this Resolution shall be in full force and effect upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-28-78 on the 13th day of June, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-06-11

RESOLUTION NO. R-29-78

A RESOLUTION authorizing payment to
Schmidt Electric, Inc. and Crescent
Electric Supply for signal repair parts
for the Traffic Engineering Department
(Signal Division)

WHEREAS, the Traffic Engineering Department (Signal Division) was in need of miscellaneous repair parts, and (1) insurance monies in reimbursement for such repair parts have been received and receipted by the City Controller in the amounts hereafter listed, and (2) the following companies have furnished said repair parts as hereafter set out, respectively, to wit:

Insurance Payment	Repair Agency
$ 74.00	Schmidt Electric, Inc.
$ 692.92	Crescent Electric Supply

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies for furnishing such repair parts, upon receipt of a proper voucher from the City Traffic Engineer.

SECTION 2. That this Resolution shall be in full force and effect upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-29-78 on the 13th day of June, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-77-06-37

ZONING MAP ORDINANCE NO. Z-11-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 5, 6, 7, 8, 12 and 13, Woodlawn Park, and Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 28, pages 3334,

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-11-78 on the 13th day of June, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-02-27

ZONING MAP ORDINANCE NO. Z-12-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N34.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N34, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Lot 18, Washington Center Place Addition, City of
Fort Wayne, County of Allen Indiana more commonly
known as 5608 Coldwater Road, Fort Wayne, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-12-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-04-24

ZONING MAP ORDINANCE NO. Z-13-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. DD13

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. DD13, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot 9 in Woodlawn Park Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 28, Pages 33-34.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-13-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-02-08

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. R11, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lot # 13, 27, 32, 33, 41, 46, 87, 103, 104, 110, 124, 125, 160, 189, & 190 in Rolling Green Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
Hunter, D. Schmidt
Nays: Six
Burns, Hinga, Moses, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

BILL NO. Z-78-04-05

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. K18

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. K18, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of the North Half of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana, in particular described as follows, to wit:

Commencing at the Northwest corner of Lot 16, in the plat as recorded in Plat Book 20, page 18, of Winfree Manor Addition to the City of Fort Wayne; thence running Northward, along the East boundary line of the plat of Poinsett Park Addition, as in Plat Book 10, page 72, recorded, a distance of 1114.5 feet to a point; thence South 89 degrees 03' East a distance of 119.7 feet to a point; thence North 32 degrees 12' East a distance of 100.0 feet to a point on the Southwesterly right-of-way line of U.S. Highway No. 30, known as Goshen Road; thence South 57 degrees 48' East, along the aforesaid line, a distance of 609.0 feet, to the North corner of Lot 22 in the plat of Lincoln Park Addition, as in Plat Book 13, page 63, recorded; thence South along the West boundary line of the plat aforesaid, a distance of 294.9 feet to a point situated 120.0 feet North of the Southwest corner of Lot 21 of the plat aforesaid; thence South 89 degrees 51' East, and parallel to the South line of Lots numbered 21, 20 and 19, of the aforesaid plat, a distance of 106.8 feet to the East line of the aforesaid Lot 19; thence South along the line aforesaid a distance of 120.0 feet to the Southeast corner of the lot aforesaid; thence North 89 degrees 51' West, along the South line of the said Lots 19,20 and 21, a distance of 106.8 feet to the West line of the aforenamed plat; thence South along the aforesaid line a distance of 50.0 feet, to the Northwest corner of Lot 18 of the aforenamed plat; thence South 89 degrees 51' East, along the North line of Lots Numbered 18, 17 and 16, of the plat aforementioned, a distance of 106.8 feet to the Northeast corner of Lot 16 aforesaid, thence South, along the East line of said Lot 16, and of Lot 15, of the plat aforementioned, a distance of 209.5 feet, to the Southeast corner of said Lot 15; thence South along the line aforesaid, a diatance of 50.0 feet, to the Northeast corner of Lot 132, in the plat as recorded of Lincoln Park Addition, Amended, in Plat Book 15, page 78, thence South on the East line of the said Lot 132, and of Lot 124, of the plat aforementioned,

a distance of 300.0 feet, to the Southeast corner of the said Lot 124; thence North 89 degrees 51' West, along the South line of the said Lots 124 and 123, and along the South line of Lots number consecutively and in reverse order 26 to 17, in the plat of the said Winfree Manor Addition, a distance of 616.8 feet, to the Southwest corner of the said Lot 17; thence North along the West line of the said Lot 17 a distance of 150.0 feet, to the Northwest corner thereof; thence North 89 degrees 51' West, a distance of 50.0 feet, to the Northeast corner of Lot 16 of the plat aforementioned; thence South along the East line of the aforesaid Lot, a distance of 51.5 feet, to the Southeast corner thereof; thence North 89 degrees 51' West, along the South line of said Lot, a distance of 129.5 feet to the Southwest corner of the said Lot 16, thence North on the West line thereof, a distance of 51.5 feet to the place of beginning, at the Northwest corner of the said lot; containing 20.21 acres of land, more or less, all record references being to those in the Office of the Recorder of Allen County, Indiana,

excepting therefrom however, Lots 16-26, inclusive, in Winfree Manor Addition, and Lots 123 and 124, Lincoln Park Addition, as Amended (which is the undeveloped portion of the Shopping Center on the south portion thereof).

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt
Nays: Seven
Burns, Hinga, Hunter, Moses, V. Schmidt, Stier, Talarico
Absent: One Nuckols
Date: 6-13-78

Charles W. Westerman
City Clerk

BILL NO. G-77-09-24

GENERAL ORDINANCE NO. G-15-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of a subdivision and a portion of a street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of a subdivision and a portion of a street having been filed with the Fort Wayne City Plan in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by delting the following portion of a subdivision and a portion of a street, towit:

Lots 5, 8 12 and 13, Woodlawn Park, an Addition to the City of Fort Wayne

Scotswolde Drive lying West of the East line of Lots 5 and 12 in Woodlawn Park, an Addition to the City of Fort Wayne,

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and the of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-15-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-04-06

GENERAL ORDINANCE NO. G-16-78

AN ORDINANCE amending General Ordinance
No. G-97, by authorizing the vacation of
certain streets and an alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of certain streets and an alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963 is amended by deleting the following streets and alley, to wit:

1) Sherman Street from the north property line of VanBuren Street to the south property line of New York Central (Penn Central) Railroad right-of-way.

2) Burgess Street from the east property line of Sherman Blvd., to the west property line of Sherman Street, and

3) The first alley north of Burgess Street from the East property line of Sherman Blvd., to the west property line of Sherman Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission,

and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-16-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-06-15

RESOLUTION NO. R-27-78

A RESOLUTION: Rediscover America
a Code of Ethic for Public Employees

WHEREAS, from now until 1992, when America will observe the 500th anniversary of the discovery of this part of the world by Columbus, communities will be emphasizing basic values in; and

WHEREAS, the objective of Rediscover America is to cause individuals and organizations to become more aware of the need for Honesty and Integrity; and

WHEREAS, the Rediscover America program is divided into seven major groups including youth, labor, business, community organizations, government, religion and education; and

WHEREAS, to accomplish its objective of emphasizing honesty and integrity, the government division has written a Code of Ethics for Public Employees; and

WHEREAS, Mayor Robert E. Armstrong and the City's various department heads have publicly subscribed to the Code of Ethics and have affixed their signatures thereto:

NOW THEREFORE, We the Members of the Common Council of the City of Fort Wayne, Indiana, hereby approve said Code of Ethics and urge all governmental employees to sign said Code.

James S. Stier,
Paul M. Burns
William T. Hinga
Winfield C. Moses, Jr.

Fredrick R. Hunter
Donald J. Schmidt
Vivian G. Schmidt
Samuel J. Talarico

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-27-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-29

SPECIAL ORDINANCE NO. S-83-78

AN ORDINANCE approving Civil City Blanket Purchase Orders Nos. B4-02487, B4-02488, & B4-02489 for materials for the Street Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Blanket Purchase Orders, numbered and listed below, dated May 11, 1978, between the City of Fort Wayne, by and through the Director of Purchasing and the Board of Public Works and Bituminous Materials for materials for the Street Department as follows:

B4-02487 - (approximately 50,000 gallons each)

AE-150 Asphalt Emulsion (for cold mix) at .3993 per gallon
SC-3000 Cutback Asphalt (for cold mix) at .3993 per gallon

B4-02488 - (approximately 300 & 100 tons respectively)

AP-3 Penetration Asphalt Cement at 86.80 per ton
AP-1 Penetration Asphalt Cement at 86.80 per ton

B4-02489 - (approximately 150,000 gallons)

CRS-2 Chip & Seal Asphalt Emulsion (Cationic) at .3562 per gallon all as more particularly set forth in said purchase orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-83-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-30

SPECIAL ORDINANCE NO. S-84-78

AN ORDINANCE approving Civil City Blanket
Purchase Order No. B4-02490 for materials
for the Street Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City Blanket Purchase Order No. B4-02490, dated May 11, 1978, between the City of Fort Wayne, by and through the Director of Purchasing and the Board of Public Works and Wayne Reclamation & Recycling, Inc., for:

road oil and waste oil, approximately 25,000 gallons,
for the Street Department's use in road restoration work;

1. Price per gallon furnished & applied at .32 per gallon

2. Price per gallon delivered to the City's tank by transport load at .29 per gallon

3. Price per gallon picked up at Vendor at .27 per gallon

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga,, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-84-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-05-31

GENERAL ORDINANCE NO. G-14-78

AN ORDINANCE approving the Board of Public Works proposed Capital Program Expenditures for 1979 and Amendment to the 1978 Capital Improvement Expenditures.

WHEREAS, heretofore on April 11, 1978, General Ordinance No. G-07-73 was adopted requiring the Board of Public Works of the City of Fort Wayne to at least annually on or before the 30th day of June of each year provide the Common Council with itemized estimates of capital program expenditures for the succeeding fiscal years;

WHEREAS, said Board of Public Works does hereby submit to said Common Council said itemized estimates, all as set forth in Exhibits "A" and "C" attached hereto and hereby made a part hereof; and

WHEREAS, said Board of Public Works desires to amend said itemized estimates heretofore approved by the Common Council as General Ordinance No. G-21-76 by adding thereto those itemized estimates set forth in Exhibit "B" attached hereto and hereby made a part hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. All estimates of capital programs presented by the Board of Public Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibits "A" and "C" attached hereto and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

SECTION 2. All estimates of capital programs to be added to those heretofore approved by General Ordinance No. G-21-76 presented by the Board of Public Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibit "B" attached hereto and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

SECTION 3. That this Ordinance shall be in full force and effect from and after its appassage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-14-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-32

SPECIAL ORDINANCE NO. S-85-78

AN ORDINANCE approving an Agreement with
North Eastern Enterprises, Inc., for
construction of a sanitary sewer.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated May 8, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and North Eastern Enterprises, Inc., for:

Sanitary sewer to serve the area known as Hillsboro.

SANITARY SEWER

Commencing at a manhole 120' west of Miceli Drive and 16' North of the centerline of Rothman Road; thence east 1685' more or less and parallel to said centerline of Rothman Road and terminating at a manhole 40' east of and 40' north of the centerline intersection of Maplecrest Road and Rothman Road.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-85-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-33

SPECIAL ORDINANCE NO. S-86-78

AN ORDINANCE approving an Agreement with
Ben Bunt Realty, Inc., for construction of a
sanitary sewer.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated May 3, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Ben Bunt Realty, Inc., for:

SANITARY SEWER

MAIN #1: Beginning at a proposed sanitary sewer manhole located 80 ± LF East of west R/W line of Maplecrest Road and 30 ± LF South of the centerline of Millhollow Lane; thence westerly generally following the south R/W line of Millhollow Lane 1300 ± LF terminating at a proposed cleanout.

LATERAL #1: Beginning at a proposed sanitary sewer manhole located 30 ± LF south of Hillhollow Lane and 30 ± LF west of east Property line of Lot #2 of the Hollows, Section I; thence due north 340 ± LF terminating at a proposed manhole located 5 ± LF south of and 5 ± LF west of southwest corner lot #62 of the Hollows, Section I.

LATERAL #2: Beginning at a proposed sanitary sewer manhole located 25 ± LF east of and 30 ± LF south of the centerline intersection of Old Willow Place and Millhollow Lane; thence north 525 ± LF terminating at a proposed manhole located 20 ± LF east of the centerline of Old Willow Place and 5 ± LF south of the southeast corner of Lot #43 of the Hollows, Section I.

LATERAL #3: Beginning at a proposed manhole located 30 ± LF south of the center line intersection of Old Willow Place and Millhollow Lane; thence due north 515 ± LF terminating at a proposed cleanout located 20 ± LF east of the centerline of Arch Tree Place and 5 ± LF south of the southeast corner of Lot #27 of the Hollows, Section I.

Said sewer shall be 8" in diameter.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-86-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-34

SPECIAL ORDINANCE NO. S-87-78

AN ORDINANCE approving an Agreement
with Woodmont Realty, Inc., for construction
of a sanitary sewer

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated May 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Woodmont Realty, Inc., for:

SANITARY SEWER

Line A - Beginning at an existing manhole #1 over an existing 10" sanitary sewer, said manhole

being situated on the right-of-way of Hickory Tree Road approximately 30 feet North of the South property line of Lot #109 in Woodmont, Section 5; thence Easterly, along the North right-of-way of Lakewood Court, a distance of 400 feet to proposed manhole #2; thence Easterly, 170 feet terminating at proposed manhole #3 , said manhole being situated on the corner of Lots #101 and #102 in Woodmont, Section 5, and the right-of-way of said Lakewood Court.

Line B - Beginning at an existing manhole #4 over an exisiting 8" sanitary sewer, said manhole being situated 20 (plus or minus) feet South and 20 (plus or minus) feet West of the centerline intersection of Hickory Tree Road and Oak Tree Road in Woodmont, Section 3; thence Northeasterly, a distance of 205 feet to a proposed manhole #5, said manhole being situated 5 (plus or minus) feet West of the West property line of Lot #96 in Woodmont, Section 5, and on the South right-of-way line of Oak Tree Court; thence Northeasterly, a distance of 250 feet to a proposed manhole #6; thence Northeasterly, along the North right-of-way of Oak Tree Court, a distance of 350 feet to a proposed manhole #7; thence Northeasterly 240 feet terminating at a proposed manhole #8, said manhole being situated on the corner of Lots #89 and #90 in Woodmont, Section 5, and the right-of-way of Oak Tree Court.

Line C - Beginning at an existing manhole #9 over an existing 8" sanitary sewer, said manhole being situated 30 (plus or minus) feet West and 20 (plus or minus) feet South of the centerline intersection of Hickory Tree Road and Rollingwood Lane; thence Northeasterly along the South right-of-way line of said Rollingwood Lane, a distance of 160 feet to a proposed manhole #10; thence Easterly, 260 feet terminating at a proposed manhole #11, said manhole being situated on the corner of Lots #79 and #80 in Woodmont, Section 5, and the right-of-way of said Rollingwood Lane.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particulary set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-87-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-35

SPECIAL ORDINANCE NO. S-88-78

AN ORDINANCE approving Change Order No. 2 in connection with Water Works Improvements - Wash Water Retention Basin, Contract #77-W-1.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Hagerman Construction Cor-poration, in connection with Water Works Improvements - Wash Water Retention Basin, Contract #77-W-1, for:

the raising of the centerline elevation of
the 12-inch washwater return line to give
additional head room beneath,

in the amount of $372.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-88-78 on the 13th day of June, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-36

SPECIAL ORDINANCE NO. S-89-78

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-9968 for materials for the Water & Water Pollution Control Engineering Depts.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order - City Utilities Purchase Order No. B-9968, dated May 5, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and I.B.M. Corporation, for:

> Rental of one Information Processing System #6/440 for use in the Engineering Department, such as processing and distribution of text and records originated on IBM diskettes, building and updating files. Also this machine can be required to create reports and other documents, text revision, reformatting and printing. Machine to be acquired for the use by the Water & Water Pollution Control Engineering Departments, installation & removal $152.00 each, rental $760.00/month,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-89-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-37

SPECIAL ORDINANCE NO. S-90-78

AN ORDINANCE approving City Utilities Purchase Order No. 9991 with Preferred Products for Aluminum Poles for Street Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9991, dated May 16, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Preferred Products, for 100 Aluminum Poles for street light installation by the Street Lighting Dept., at a cost of $23,500.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-90-78 on the 13th day of June, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-38

SPECIAL ORDINANCE NO. S-91-78

AN ORDINANCE approving the First Addenda to Water Pollution Control Treatment Agreement between the City of Fort Wayne, Indiana and Leo-Cedarville Regional Sewer District.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF FORT WAYNE, INDIANA:

SECTION 1. That the First Addenda to Water Pollution Control Treatment Agreement dated May 10, 1978, between the City of Fort Wayne, by and through its Mayor and the Leo-Cedarville Regional Sewer District;

involves the Farmers Home Administration Loan of $840,000.00 to the Leo-Cedarville Regional Sewer District for partial construction costs of sewer system and the term of the Agreement be changed from the original twenty year period to a period of forty years,

all as more particularly set forth in said First Addenda which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-91-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-39

SPECIAL ORDINANCE NO. S-92-78

AN ORDINANCE approving the First Addenda to Water Pollution Control Treatment Agreement between the City of Fort Wayne, Indiana and Maysville Regional Sanitary Sewer District.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the First Addenda to Water Pollution Control Treatment Agreement dated May 10, 1978, between the City of Fort Wayne, by and through its Mayor and the Maysville Regional Sanitary Sewer District:

involves the Farmers Home Administration Loan of $576,000.00 to Maysville Regional Sewer District for partial construction costs of sewer system and the term of the Agreement be changed from the ori ginal twenty year period to a period of forty years,

all as more particularly set forth in said First Addenda which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt,Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 6-13-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-92-78 on the 13th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1978, at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-03

SPECIAL ORDINANCE NO. S-93-78

AN ORDINANCE approving an Agreement
to purchase Real Estate from Erwin and
Dorothy Hans for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated June 2, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Erwin and Dorothy Hans, for:

Lot #8, Lanterniers Amended Addition

for the total cost of $2,328.40, of which $328.40 will cover the cost of the abstract continuation, pay survey, and pay for deed and closing affidavit, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-93-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-04

SPECIAL ORDINANCE NO. S-94-78

AN ORDINANCE approving Change Order
No. G-2, in connection with the Humane Shelter

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. G2 to Weigand Construction Co., Inc., in connection with the Humane Shelter, for:

> general construction, for furnishing labor, material and equipment to Dewater new construction excavation areas and change backfill from specified material to Indiana Highway Specification No. 1402 Fine Agregate properly compacted,

in the amount of $12,648.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-94-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-05

SPECIAL ORDINANCE NO. S-95-78

AN ORDINANCE approving a contract between
Commercial Warehouse and Cartage, Inc.,
and the City of Fort Wayne by and
through its Department of Public Safety,
for Fire protection

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 1, 1978, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and Commercial Warehouse and Cartage, Inc. for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

2425 American Way, Allen County, Indiana

SECTION 2. That the cost to Commercial Warehouse and Cartage, Inc. shall be the sum of $2,326.94, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt,V. Schmidt,Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-95-78 on the 27th day of June, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-06

SPECIAL ORDINANCE NO. S-96-78

AN ORDINANCE approving a certain bid
document for purchase of a Cargo Van
with cages for the Humane Commission

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 819, dated March 31, 1978, between the City of Fort Wayne, by and through its Mayor and the Humane Commission and Allen County Motors, for the purchase of a Cargo Van with cages, at a total cost of $10,051.36, all as more particularly set forth in said bid document Ref. No. 819 and Purchase Order No. 402568, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-96-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-07

SPECIAL ORDINANCE NO. S-97-78

AN ORDINANCE approving Change Order
No. E-1, in connection with Restoration of
the Old City Hall

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. E1 to Shambaugh & Son, Inc., in connection with restoration of the Old City Hall, for:

modification of some electrical equipment per plans and modification of Detectors in order to install a D.C. Fire Alarm System in lieu of a A.C.System, providing additional station therein and the installation of exterior lighting per alternate bid,

in the amount of $10,226.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. HInga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-97-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-08

SPECIAL ORDINANCE NO. S- WITHDRAWN

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving an Agreement to purchase Real Estate from Mr. Bernard Dikty for Neighborhood Care, Inc. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

William T. Hinga
Vivian G. Schmidt
John Nuckols
Paul M. Burns
Fredrick R. Hunter
Charles W. Westerman
City Clerk

Concurred in 6-27-78

BILL NO. R-78-06-09

RESOLUTION NO. R-31-78

A RESOLUTION providing for the current funding of the Electric Utility Cash Reserve Fund created in 1975

WHEREAS, by Special Ordinance No. S24375 there was established in the accounts of the City Electric Utility a Cash Reserve Fund as envisioned by I.C. 193191; and

WHEREAS, "Surplus earnings", ater taking care of current obligations, including operating

expenses, the depreciation or replacement account of a least 5% of the operating cash reserves of the Utility, the sinking fund for bonds and interest retirement, as required by law, currently amounts to more than the sum of One million, nine hundred and fifteen thousand, one hundred seventythree ($1,915,173.00) dollars;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. "Surplus earnings" in the accounts of the Electric Utility in the amount of $1,915,173.00 are hereby transferred to and ordered debited to the Cash Reserve Fund of said Utility.

SECTION 2. "Surplus earnings", after taking care of current obligations including operating expenses, the depreciation or replacement account of at least 5% of the operating cash reserves of the Utility, the sinking fund for bonds and interest retirement, as required by law, said surplus currently amounts to more than the sum of One million, nine hundred and fifteen thousand, one hundred seventythree ($1,915,173.00) dollars, which is the amount hereby so transferred.

SECTION 3. That this Resolution shall take effect upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-31-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-06-30

RESOLUTION NO. R-30-78

A RESOLUTION approving the Housing Authority's Section 8 Project

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana, (hereinafter called "Housing Authority"), proposes to operate a project under the Housing Assistance Payments Program of Section 8 Existing of the United States Housing Act of 1937 as amended (hereinafter called "U.S. Housing Act"); and

WHEREAS, pursuant to Indiana's Housing Authorities Act as amended, the Housing Authority may not initiate a project until it is approved by the local governing body which activated the Housing Authority.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a project, which will be operated by the Housing Authority pursuant to the Housing Assistance Payments Program of Section 8 of the U. S. Housing Act and which will include assistance on behalf of up to approximately 452 eligible families and elderly persons, is hereby approved.

SECTION 2. That this Resolution shall be in full force and effect upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-30-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-02-28

ZONING MAP ORDINANCE NO. Z-14-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R38.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. R38, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Part of Block "D" in George L. Ashley Homestead, according to the plat thereof, recorded in Plat Record 8, page 84, in the Office of the Recorder of Allen County, Indiana, more particularly de scribed as follows:
Commencing at the Northwest corner of said Block "D" in George L. Ashley Homestead; thence South 62 degrees 28 minutes 17 seconds East along the North erly line of said Block "D" a distance of 859.04 feet to a point on the centerline of St. Joe Road; thence South 36 degrees 20 minutes 16 seconds West 212.51 feet to the point of beginning; thence South

36 degrees 20 minutes 16 seconds West along the centerline of St. Joe Road 365.75 feet to a point; thence North 64 degrees 02 minutes 25 seconds West along the common property line with Riviera Plaza, Inc., as recorded in Warranty Deed, Instrument Number D5555, 708.10 feet to a point, being the Southeast corner of Lot Number 51 in Shoaff Park River Estates; thence North 75 degrees 11 minutes 49 seconds East, 236.69 feet to a point, being the corner of Lots Number 53 and 54 in Shoaff Park River Estates, thence North 27 degrees 31 minutes 43 seconds East, 221.43 feet to a point on the Southerly right-of-way of Shoaff Park River Drive; thence South 62 degrees 28 minutes 17 seconds East along the Southerly right-of-way of Shoaff Park River Drive 588.87 feet to the point of beginning containing 5.05 acres of land, more or less. Subject to all legal roads and highways.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-14-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-16

SPECIAL ORDINANCE NO. S-98-78

AN ORDINANCE approving City Utilities Purchase Order No. 0012 with Allen County Motors for a vehicle for the Technical Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0012, dated May 30, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Allen County Motors, for purchase of one (1) 1978 Ford Econoline Van for the Technical Services Department in the wheelbase specified, i.e. 138", at a cost of $6,561.78, all as more particularly

set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and aproval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-98-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-17

SPECIAL ORDINANCE NO. S-99-78

AN ORDINANCE approving blanket purchase orders - City Utilities Purchase Order Nos. B-0013 with Shrex of Fort Wayne, B-0014 with Doubleday Brothers, B-0015 with Business Equipment for supplies for the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase orders City Utilities Purchase Order Nos. B-0013, B0014, and B0015 dated May 26, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Shrex of Fort Wayne, Doubleday Brothers, and Business Equipment, respectively, for:

> various office supplies, paper, envelopes, folders, dictionaries, pens, storage boxes tape, etc. for the Office Services Department
>
> The three companies selected were the lowest bidders, and items for which they bid the lowest price will be purchased specifically from that supplier thus insuring added savings,

all as more particularly set forth in said purchase orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-99-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-18

SPECIAL ORDINANCE NO. S-100-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0051 with C. H. Ellis
Corporation for materials for the Three
Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0051, dated May 26, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and C. H. Ellis Corporation, for a Trackmobile Model Whiting 5TM, with defroster fan and heater, to be used in the movement of cars and chemical deliveries to Three Rivers Filtration Plant, at a cost of $57,950.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-100-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-19

SPECIAL ORDINANCE NO. S-101-78

AN ORDINANCE approving City Utilities Purchase Order No. 0030 with Panosophic Systems, Inc. for materials for City Utilities Data Processing Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0030, dated June 1, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Panosophic Systems, Inc., for one Information Retrieval and File Management Software Package to be used by the City Utilities Date Processing Department, said system to allow automatic generation of reports, built-in sort and match-mergecapablity and allows for storing and recalling file definitions to eliminate redundant coding, at a cost of $12,500.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-101-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-20

SPECIAL ORDINANCE NO. S-102-78

AN ORDINANCE approving City Utilities Purchase Order No. 0060 with Westinghouse Electric Corporation for a Coordination Study for General Superintendent of City Utilities

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0060, dated June 2, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Westinghouse Electric Corporation, for a Coordination Study to analyze the electrical system to make sure the relays are all set properly in order to allow the Plant to run efficienty, designated study to be done on WPC Plant, at a cost of $8,050.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-102-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-21

SPECIAL ORDINANCE NO. S-103-78

AN ORDINANCE approving City Utilities Purchase Order Nos. 0055 with Allen County Motors, Inc. and 0056 with DeHaven Chevrolet, Inc., for vehicles for Water Maintenance & Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Orders, numbered and listed below, dated June 1, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent

and the Board of Public Works and the following companies for the purchase of vehicles for the Water Maintenance & Service Department in the amounts as hereafter set out, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

NUMBER	VEHICLE	COMPANY	AMOUNT
0055	1978 Ford Fairmont	Allen County Motors, Inc.	$ 4,699.50
0056	1978 Dual Real Wheel Van type Truck	DeHaven Chevrolet, Inc.	$10,218.00
		TOTAL	$14,917.50

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-103-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-22

SPECIAL ORDINANCE NO. S-104-78

AN ORDINANCE approving an Agreement with Kenneth Niemeyer, Real Estate & Development, Inc., for construction of a sanitary sewer

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated May 31, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Kenneth Niemeyer, Real Estate & Development, INc., for:

SANITARY MAIN # 1:

Beginning at an existing sanitary sewer manhole located 370 ± LF east of and 43 ± LF south of the intersection of Autumn View Drive and Tillman Road; thence southeasterly 295 ± LF to a proposed manhole; thence easterly 670 ± LF to a proposed manhole; thence southeasterly 300 ± LF to a proposed manhole located 20 ± LF east of and 20 ± LF south of the centerline intersection of Thrush Avenue and Linden Drive; thence southerly generally following the east right-of-way of said Thrush Drive 620 ± LF to a proposed manhole located 5 ± LF south of and 1 ± LF east of the southwest corner of Branning Hills Addition, Section I; thence generally following the south right-of-way line of Turnwood Drive 320 ± LF terminating at a proposed bulkhead located 5 ± LF north of and 1 ± LF east of the Northwest corner of lot #41 of said Branning Hills Addition, Section I.

LATERAL #1:

Beginning at a proposed manhole located 20 ± LF south of and 20 ± LF east of the centerline intersection of Thrush Drive and Linden Drive; thence easterly generally following the south right-of-way line of said Linden Drive 700 ± LF to a proposed manhole located 20 ± LF south of and 20 ± LF west of the centerline intersection of Linden Drive and Melwood Court; thence northerly generally following the west right-of-way line of said Melwood Court 330 ± LF to a proposed manhole; thence westerly generally following the south right-of-way of Leswood Court 450 ± LF terminating at a proposed clean-out located 4 ± LF north of and 2 ± LF east of the southeast corner of lot #13 of Branning Hills Addition, Section I.

LATERAL #1-A:

Beginning at a proposed manhole located 20 ± LF south of and 20 ± LF west of the centerline intersection of Linden Drive and Evanwood Court; thence southerly generally following the west right-of-way of said Evanwood Court 660 ± LF terminating at a proposed manhole located 5 ± LF east of and 1 ± LF south of the Southeast corner of lot #62 of Branning Hills Addition, Section I.

LATERAL #1-B:

Beginning at a proposed manhole located 20 ± LF south of and 20 ± LF west of the centerline intersection of Linwood Drive and Melwood Court, thence southerly 290 ± LF terminating at a proposed manhole located 1 ± LF north of and 1 ± LF east of the Northeast corner of lot #78 of Branning Hills Addition, Section I.

LATERAL #2-B:

Beginning at a proposed manhole located 20 ± LF south of and 20 ± LF of the centerline intersection of Linden Drive and Melwood Court; thence easterly generally following the south right-of-way line of Linwood Drive 200 ± LF terminating at a proposed bulkhead located 1 ± LF west of and 5 ± LF north of the Northeast corner of lot #84 of Branning Hills Addition, Section I.,

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-104-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-23

SPECIAL ORDINANCE NO. S-105-78

AN ORDINANCE approving an Agreement
with LeVal D'or Development, Inc., for
construction of a sanitary sewer

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated June 5, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Le Val D'or Development, for:

SANITARY SEWER - LE VAL D'OR - SECTION 1

Line "A" - Beginning at a proposed manhole #1 to be constructed over an exisiting 18" sanitary sewer, said manhole to be situated on the East property line of Lot #9 in LE VAL D'OR, SECTION 1, approximately 110 feet North of the right-of-way of Dorsay Court; thence Southerly along the East property line of said Lot #9, a distance of 110 feet to proposed manhole #2, said manhole being situated on the corner of Lots #8 and #9 in LE VAL D'OR, SECTION 1, and the right-of-way of Dorsay Court; thence Southerly, a distance of 290 feet to proposed manhole #3, said manhole being situated on the corner of

Lots #4 and #5 in LE VAL D'OR, SECTION 1, and the right-of-way of Dorsay Court; thence Southerly, along the right-of-way of Dorsay Court, 150 feet terminating at a proposed manhole #5, said manhole being situated 25 (plus or minus) feet North and 20 (plus or minus) feet East of the centerline intersection of Monet Drive and Dorsay Court in LE VAL D'OR, SECTION 1.

Line "B" - Beginning at a proposed manhole #5, said manhole being situated on the North right-of-way of Monet Drive approximately 15 feet East of the Southwest corner of Lot #2 in LE VAL D'OR, SECTION 1; thence Westerly, along the North right-of-way of Monet Drive, a distance of 185 feet to proposed manhole #4; thence Southwesterly, along the North right-of-way of Monet Drive, a distance of 340 feet to proposed manhole #7; thence Southwesterly, a distance of 180 feet to proposed manhole #8; thence Westerly, 350 feet terminating at a proposed manhole # 9, said manhole being situated 100 feet West of the Southwest corner of Lot #33 in LE VAL D'OR, SECTION 1, and on the future North right-of-way of Monet Drive.

Line "C" - Beginning at a proposed manhole #5, said manhole being situated on the North right-of-way of Monet Drive approximately 15 feet East of the Southwest corner of Lot #2 in LE VAL D'OR,

SECTION 1; thence Southerly, along the West right-of-way of Monet Court, 370 feet terminating at a proposed manhole #6, said manhole being situated on the right-of-way of Monet Court approximately 25 feet West of the Northeast corner of Lot #47 in LE VAL D'OR, SECTION 1.

Line "D" - Beginning at an existing manhole #10 over an existing 18" sanitary sewer, said manhole being situated 110 (plus or minus) feet East and 25 (plus or minus) feet South of the Northwest corner of LE VAL D'OR, SECTION 1; thence Southerly, a distance of 300 feet, to proposed manhole #11, said manhole being situated on the corner of Lots #25 and #26 in LE VAL D'OR, SECTION 1, and the right-of-way of Champagne Court; thence Southeasterly, along the North right-of-way of Champagne Court, a distance of 290 feet to proposed manhole #12; thence Southerly, 170 feet terminating at a proposed manhole #13, said manhole being situated on the East right-of-way line of Champagne Court approximately 10 feet South of the Northwest corner of Lot #19 in LE VAL D'OR, SECTION 1.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-105-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-24

SPECIAL ORDINANCE NO. S- 106-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0004 with V. R.
Myers Pump for materials for Water
Maintenance & Service Department

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0004, dated May 22, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and V. R. Myers Pump, for valve boxes for the Water Maintenance & Service Department, at a cost of $6,640.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by refernce incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmdit, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-106-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-25

SPECIAL ORDINANCE NO. S-107-78

AN ORDINANCE approving City Utilities Purchase Order No. 0027 with Maxwell Tree Expert Company for materials for Water Maintenance & Service Dept.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0027, dated May 23, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Maxwell Tree Expert Company, for restoration of Park strips cut in the process of water maintenance repair, area to be reseeded and resoded anc covered with straw for protection, at a cost of $11,780.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-107-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-26

SPECIAL ORDINANCE NO. S-108-78

AN ORDINANCE approving City Utilities
Purchase Order No. 9977 with I.B.M.
Corp., for IBM Model 3 Tape Unit for
City Utilities Data Center

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 9977, dated May 12, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and I.B.M. Corporation, for the lease of one IBM 3420 Model 3 Tape Unit (9track) 16 B.P.I., which is a Tape Drive for backing up Disc Files, at a cost of $453.00 per month, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-108-78 on the 27th day of June, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of June, 1978 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-23

SPECIAL ORDINANCE NO. S-109-78

AN ORDINANCE approving an Agreement to
purchase Real Estate from Mr. John Lee
Gaft for Neighborhood Care, Inc.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated April 26, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Mr. John Lee Gaft, for:

Lot 50, Huestis & Taylors Sub Addition

for the total cost of $15,100.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc. and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-109-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-28

SPECIAL ORDINANCE NO. S-110-78

AN ORDINANCE approving a contract
between Zollner Corporation and the City
of Fort Wayne by and through its Department
of Public Safety for Fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 1, 1978, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and Zollner Corporation, for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

> All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

SECTION 2. That the cost of Zollner Corporation shall be the sum of $5,568.86, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Abs ent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-110-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-29

SPECIAL ORDINANCE NO. S- 111-78

AN ORDINANCE approving an Agreement to purchase Real Estate from O. Wendall Lanning, Personal Representative of the Estate of Martha Berniece Franz, for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated June 12, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and O. Wendall Lanning, Personal Representative of the Estate of Martha Berniece Franz, for:

Lot #8, Devilbiss and Knoche Subdivision

for a total cost of $6,350.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga , seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-111-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-06-37

GENERAL ORDINANCE NO. G-20-78

AN ORDINANCE GRANTING A NON-EXCLUSIVE
FRANCHISE CONVEYING THE RIGHT TO
CONSTRUCT, OPERATE AND MAINTAIN A
CABLE COMMUNICATIONS SYSTEM WITHIN
THE CITY OF FORT WAYNE, INDIANA

WHEREAS, Citzens Cable of Fort Wayne, Inc. has been determined by the Common Council of the City of Fort Wayne, Indiana to be the successful applicant to whom shall be granted a franchise by the City of Fort Wayne granting unto said Citizens Cable of Fort Wayne, Inc. a franchise to construct, operate and maintain a Cable Communications System within the City of Fort Wayne for a period of fifteen (15) years from the effective date of this Ordinance;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. The City of Fort Wayne, Indiana hereby grants a non-exclusive franchise to Citizens Cable of Fort Wayne, Inc. to construct, operate and maintain a Cable Communications System within the City of Fort Wayne, Indiana, for a period of fifteen (15) years from the effective date of this Ordinance, subject to and incorporating as a part of said franchise the provisions of General Ordinance No. G2777 as Amended which said General Ordinance No. G2777 (as Amended) is incorporated by reference in this Ordinance granting said franchise to said Citizens Cable of Fort Wayne, Inc.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga.
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Absent: One
V. Schmidt

Nays: None

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-20-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of July, 1978, at the hour of 10:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-07-04

RESOLUTION NO. R-32-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following compaines in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Fire Dept. unit No. 47, 1977 Plymouth License Plate #MO12845	$ 216.55	Auto Rebuilding Co., Inc.
2)	Police Dept. unit No. 14, 1974 Plymouth, 4 door sedan License Plate #MO11114	649.66	Northway Chrysler Plymouth
3)	Humane Commission unit No. 1, 1977 Ford Van License Plate #MO027532	209.25	Allen County Motors
	TOTAL	$1,075.46	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-32-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-07-05

RESOLUTION NO. R-33-78

A RESOLUTION authorizing payment to
Crescent Electric Supply Co. and
Elliott Equipment Corp. for signal
repair parts for the Traffic Engineering
Department (Signal Division).

WHEREAS, the Traffic Engineering Department (Signal Division) was in need of miscellaneous repair parts, and (1) insurance monies in reimbursent for such repair parts have been received and receipted by the City Controller in the amounts hereafter listed, and (2) the following companies have furnished said repair parts as hereafter set out, respectively, to wit:

Insurance Payment	Repair Agency
$761.80	Crescent Electric Supply
$984.00	Elliott Equipment Corp.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies for furnishing such repair parts, upon receipt of a proper voucher from the City Traffic Engineer.

SECTION 2. That this Resolution shall be in full force an effect upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-33-78 on the 11th day of July, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-77-08-18

GENERAL ORDINANCE NO. G-17-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Arts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana, I.C. 18-7-5-46, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to-wit:

An east-west alley, extending east from the east right-of-way of the North-south alley, to its eastern terminum, lying south of Lots # 5, 6, 7 & 8 of Freemen's Addition and Lots # 9, 10 & 11 of Freeman's Amended Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne Ciy Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-17-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-05-11

GENERAL ORDINANCE NO. G-18-78

AN ORDINANCE amending General Ordinance
No. G-97, by authorizing the vacation of
a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963 is amended by deleting the following street, to wit:

Joseph Avenue from a line 50 feet west of the centerline of Spy Run Avenue Extended to the east line of Highland Park Addition Extended lying between a point 5 feet north of the north right-of-way line of Constance Avenue extended to the south right-of-way line of Catherine Avenue extended.

SECTION 2. After passage of this Ordinance, approval of the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-18-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-05-28

GENERAL ORDINANCE NO. G-19-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain street and alley.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street and alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street and alley, to wit:

Street

"Commencing at a point 137 1/2 feet west of right of way line of Coombs Street and extending to its western terminus."; and

Alley

The first alley south of J.B. White's 5th Addition from the west property line of Coombs Street to its western terminus.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-19-78 on the 11th day of July, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-04-25

ZONING MAP ORDINANCE NO. Z-15-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-38.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M38, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of the East Half of the South east Quarter of Section 14, Township 31 North, Range 12 East in Allen County, Indiana, more particularly described as follows:

Beginning at a point on the south line of the East Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, said point being 715 feet west of the southeast corner of the E1/2 of the SE1/2 of Sec. 14-31-12; thence north and parallel to the east line of the E1/2 of the SE1/4 of Sec. 14-31-12 a distance of 290 feet; thence east and parallel to the south line of the E1/2 of the SE 1/4 of Sec. 14-31-12 a distance of 257.5 feet; thence south 290 feet to a point on the south line of the E1/2 of the SE1/4 of Sec. 14-31-12, said point being 972.5 feet west of the southeast corner of the E1/2 of the SE1/4 of Sec. 14-31-12; thence east along the south line of the E1/2 of the SE1/4 of Sec. 14-31-12 a distance of 257.6 feet to the point of beginning, containing 1.714 acres and being subject to all legal roads and highways.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hutner, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: ONe

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-15-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-05-26

ZONING MAP ORDINANCE NO. Z-16-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. S18.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. S18, refereed to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

South 244' North of State exec. West 30' of South 150;
Part 6 Inwood Park Addition, St. Joseph Township, Allen
County.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-16-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-05-27

ZONING MAP ORDINANCE NO. Z-17-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-3.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 0-3, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lillies Outlots, Eckels Sub., Lots 10, 11, and 12.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-17-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-05 -10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. S-14 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN

John Nuckols
William T. Hinga
Donald Schmidt
James S. Stier

BILL NO. R-78-07-06

RESOLUTION NO. R-34-78

A RESOLUTION authorizing the filing
of an application for a Categorical
Program Settlement Grant

WHEREAS, the City of Fort Wayne, Department of Redevelopment, financially closedout the Neighborhood Development Program Project (IND. A14) with the Department of Housing & Urban Development in April, 1976; and

WHEREAS, it is now necessary to complete utility relocations and site improvements in order for the disposition of the parcel in the East Central NDP Area for Section 8 Housing to be completed; and

WHEREAS, there are no funds reserved for the completion of the activities in the East Central Neighborhood Development Program Project; and

WHEREAS, regulations of Department of Housing & Urban Development now permit applications to complete project activities in urban renewalneighborhood development program projects for which sufficient funds are not available.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That an application for a Categorical Program Settlement Grant in the amount of $116,530 to be used for utility relocations and site improvements in the East Central Neighborhood Development Program Project (IND. A14) is hereby approved.

SECTION 2. That the Mayor is hereby authorized to execute and submit said application to the Department of Housing & Urban Development.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-34-78 on the 11th day of July, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-34

SPECIAL ORDINANCE NO. S-112-78

AN ORDINANCE approving an Agreement with
Nelson R. Minnick, for construction of a
sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated June 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Nelson R. Minnick, Developer, for:

SANITARY SEWER

Beginning at an existing Manhole #72 (Resolution #273, St. Joe Interceptor Sewer); thence Northeasterly 345 feet to the Southwest corner of a certain 2.11 acre tract in the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 32, Township 32 North, Range 12 East, in Perry Township; thence Northerly, along the West line of said 2.11 acre tract a distance of 200 feet to the point of termination.

of which the developer shall pay the entire cost and expense of the construction of said sewer, allas more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-11-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-112-78 on the 11th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-03

SPECIAL ORDINANCE NO. S-113-78

AN ORDINANCE approving a contract
between Gladieux Refinery, Inc. and
the City of Fort Wayne by and through its
Department of Public Safety for Fire Protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 22, 1978, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and Gladieux Refinery, Inc. for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows towit:

All buildings and improvements of Gladieux Refinery, Inc. located in an area:

67000800071 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast 1/4 of Section 8.

6799904012 South 86, 100 square feet Northeast 1/4 Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67000800121 South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast 1/4 Section 8. 60 acres.

6700080075 East 410.2 of West 1454.4 feet Northeast 1/4 between RR and 24 and 30. Section 8.

6700080005 East 5 acres of mid part fractional Northeast 1/4 South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

SECTION 2. That the cost to Gladieux Refinery, Inc. shall be the sum of $2,996.39, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

Read the third time in full and on motion by HInga, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-113-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

Bill No. S-78-07-03

Special Ordinance S-113-78 (the Above Ordinance)
Continued Section 3 & 4 Omitted

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

BILL NO. R-78-07-14

RESOLUTION NO. R-35-78

A RESOLUTION authorizing payment to
various agencies for repair of
various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair
1)	Street Dept. vehicle No. 229, 1970 Ford Custom License Plate #5640	$ 444.27	Jim Kelley Buick
2)	Police Dept. unit No. 03 1976 Ford, 4 door sedan License Plate #M0111103	210.05	Allen County Motors
3)	Police Dept. unit No. 25, 1977 Plymouth, 4 door sedan License #11125	1,973.73	Allen County Motors
4)	Park Dept. vehicle No. 43 1974 Ford Truck License Plate #M010143	333.94	Auto Collision Service
5)	EMS Van, unit No. 9 1976 Dodge Tradesman License Plate #25026	310.49	DeWells Body Shop
6)	Police Dept. unit No. 20, 1977 Plymouth, 4 door sedan License Plante #M011120	406.41	Northway Chrysler Plymouth
7)	Neighborhood Care, Inc. leased vehicle, 1970 Chevrolet Truck License Plate #85616W	355.22	A&B Body Shop
8)	Police Dept. unit No. 144 1976 Ford Sedan License Plate #33D1301	807.01	Allen County Motors
		TOTAL $4,841.12	

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-35-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-07-15

RESOLUTION NO. R-36-78

A RESOLUTION approving Section 8 Project

WHEREAS, The Housing Authority of the City of Fort Wayne, Indiana, (hereinafter called "Housing Authority"), proposes to operate a project under the Housing Assistance Payments Program of Section 8 Existing Housing of the United States Housing Act of 1937 as amended (hereinafter called "U.S. Housing Act"); and

WHEREAS, pursuant to Indiana's Housing Authorities Act, as amended, the Housing Authority may not initiate a project until it is approved by the local governing body which activated the Housing Authority.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a project, which will be operated by the Housing Authority pursuant to the Housing Assistance Payments Program of Section 8 of the U.S. Housing Act and which will include assistance on behalf of up to approximately 502 eligible families and elderly persons, is hereby approved.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

BILL NO. Z-74-01-09

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map Nos. A2 & A4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Map Nos. A2 & A4 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, towit:

N1/2 Exc. E 16.5 of a Lot 476 in Hamiltion's 4th Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 7-25-78

Charles W. Westerman
City Clerk

BILL NO. Z-74-03-16

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort
Wayne ZoningMap No. D12

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D12, referred to therein established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

The East 104.35 feet of the West 571.77
feet of the North 467.42 feet, Northwest 1/4
Section 30, Township 30 North, Range 13 East
(Adams Township), Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Date: 7-25-78

Charles W. Westerman
City Clerk

BILL NO. Z-75-10-14

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A 2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A 2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

The west 28 feet of Lot numbered 478, all of Lot numbered 479, Lot numbered 480, Lot numbered 481 and Lot numbered 482 in Hamilton's 4th Addition, as recorded in Deed Record #69, page 397 in the office of the Recorder of Allen County, Indiana, except that part of Lot numbered 482 described as follows: Commencing on the south line of Lot numbered 482 said point being 7 feet east of the SW corner of Lot numbered 482; thence west 7 feet to the SW corner of Lot #482, 83 feet; thence southeasterly 84.28 feet to the point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 7-25-78

Charles W. Westerman
City Clerk

BILL NO. S-78-07-07

SPECIAL ORDINANCE NO. S-114-78

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5799-1978,
between the City of Fort Wayne, Indiana and
Wayne Asphalt & Construction Co., Inc., for
widening approaches to intersection of
Ardmore Avenue and Engle Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 26, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Wayne Asphalt & Construction Co., Inc., for:

improvement of the Ardmore Avenue and Engle Road intersection by widening approaches to intersection 9' for overall width of 33' with asphalt and stone surface shoulders and graded ditches for proper drainage.

under Board of Public Works Street Improvement Resolution No. 57991977, at a total cost of $24,237.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein amd made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-114-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-07-26

RESOLUTION NO. R- 37-78

A RESOLUTION ON THE DEATH OF JOHN H. HINMAN

JOHN H. HINMAN has worked for the City of Fort Wayne, Indiana, since May 1, 1946, and was a valued and dedicated consultant for City Light administration;

Through his expertise and dedicated duty as Chief Engineer for the Fort Wayne City Street Lighting Department, he has improved the physical aspect of the City in which he lived and worked most of his adult life;

In his capacity of service to the city, he was ready, able and willing, to provide information necessary for the progress of this community, and, not only will he be missed by the personnel with whom he worked, but also by all people whose lives he touched.

BE IT THEREFORE RESOLVED by the Common Council of the City of Fort Wayne, Indiana:

That in gratitude for many hours of service to the City of Fort Wayne, Indiana, and in regretful rememberance of his untimely demise, the Common Council does hereby express its regrets for his loss to this community.

BE IT FURTHER RESOLVED, that this Resolution be spread of record in the records of the Common Council of the City of Fort Wayne, and that a copy of this Resolution be sent to his widow.

Passed and approved this 25th day of August, 1978.

Samuel J. Talarico
President of Common Council

William T. Hinga
Vivian G. Schmidt
John Nuckols
James S. Stier

Paul M. Burns
Donald J. Schmidt
Winfield C. Moses, Jr.
Fredrick R. Hunter

ATTEST:

Charles W. Westerman
City Clerk

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, D. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-37-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

BILL NO. S-78-07-08

SPECIAL ORDINANCE NO. S-115-78

AN ORDINANCE approving an Agreement with
H. G. Kleeman Enterprises, Inc., for
construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated June 26, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and H. G. Kleeman Enterprises, Inc., for:

SHANNONSIDE SECTION I

1. Main Sanitary Sewer	Beginning at Station 0 + 00 construct a 48" manhole over an existing 15" sanitary sewer. Station 0 + 00 is located approximately 7 feet North of the Northeast corner of lot #22 in Shannonside Sec. I, thence Westerly 1550 feet to a proposed manhole at Station 3 + 87, Station 7 + 57 and Station 11 + 50 on said sewer line; thence in a Northwesterly direction 165 feet to Station 17 + 15 there terminating at a manhole located approximately 10 feet Northwest of the Northeast corner of lot # 43 in Shannonside consisting of 1715 ± L.F. of 8" Sewer.
2. Sanitary Lot # 1	Beginning at a manhole located 7 feet North of the Northeast corner of lot #41 Shannonside thence North 155 feet to a mnahole located 3 feet South of the Northeast corner of lot #2 Shannonside there terminating consisting of 155 ± L.F. of 8" Sewer.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-115-78 on the 25th day of July, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-09

SPECIAL ORDINANCE NO. S-116-78

AN ORDINANCE approving a contract for
Sewer Improvement Resolution No. 301-1978,
between the City of Fort Wayne, Indiana
and John Dehner, Inc., Contractor for
installation of Paulding Road force main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 26, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and John Dehner, Inc., Contractor, for:

> installation of a force main on an existing sewer line on Paulding Road east of centerline of Hessen Cassel Road, thence westward to centerline of Fruehauf Drive 15 ± LF west and 40 ± LF south of centerline of Paulding Road,

under Board of Public Works Sewer Improvement Resolution No. 3011978, at a total cost of $67,200.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-116-78 on the 25th day of July, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-10

SPECIAL ORDINANCE NO. S-117-78

AN ORDINANCE approving City Utilities Purchase Order No. 0099 with MacDonald Machinery Co., Inc. for six snow plows for the General Superintendent's Office of City Utilities

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0099, dated June 21, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and MacDonald Machinery Co., Inc., for:

> Six Gledhill Power Reverse Plows (alternate), including six bumper to frame hitches, six hydraulic & hardware to mount with power reverse with-in-cab controls, six plow, hitches, hydraulics & hardward, installation and quick connect-disconnect hitches, snow plow equipment for the use of the following City Utilities Departments; Water Pollution Control Plant, WPC Maintenance and Water Maintenance and Service Departments,

at a cost of $19,200.00 all as more particularly set forth in said PUrchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-117-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-78-06-36

ANNEXATION ORDINANCE NO. X-02-78

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

The West 1/2 of the Southeast 1/4 of Section 28, Township 31 north, Range 12 East, containing 80 acres, more or less;

The EAst 1/2 of the Southwest 1/4 of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less;

The South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 31 North, Range 12 East, containing 19.887 acres, more or less;

The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the North line of the Southeast Quarter of said Northwest Quarter at a point situated 990.0 feet, N 90° -00' E (adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof; thence N 90° -00' E, on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Quarter of said Northwest Quarter; thence S 89° - 45' E, on and along the North line of the Southwest Quarter of said Northeast Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00° -25' W and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89° - 46' W, on and along the South line of said North Half, established by survey monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89° -57' W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter, established by survey monuments found, 320.6 feet; thence N 00° - 25' E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and legal publication thereof as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation ORdinance No. X-02-78 on the 25th day of July, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-05-13 (AS AMENDED) (AS AMENDED)

GENERAL ORDINANCE NO. G-21-78

AN ORDINANCE REPEALING GENERAL ORDINANCE NO. G-85-70 AS AMENDED BY GENERAL ORDINANCE NO.G 12-72 AND AMENDING GENERAL ORDINANCE NO. G-35-75 AND REPEALING ALL ORDINANCES IN CONFLICE HEREWITH AND EXPANDING THE DUTIES AND POWERS OF THE METROPOLITAN HUMAN RELATIONS COMMISSION

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

ARTICLE I PURPOSES

SECTION 1. The Mayor and the Common Council of the City of Fort Wayne, Indiana, find that discrimination in social, cultural and economic life in the City of Fort Wayne against any person or persons because of race, sex, color, religion, handicap, ancestry, national origin, or place of birth, is contrary to American principles and is harmful to the social, cultural, and economic life of Fort Wayne; that discrimination, particularly in employment opportunities, public accommodations, and housing, increases the burden and cost of government; that such discrimination contributes to increased crime, vice, juvenile delinquency, fires and other evils thereby affecting the public safety, the public health, and the general welfare of the community; it is therefore deemed to be in the best interests of the City of Fort Wayne to create a metropolitan commission to administer and enforce anti-discrimination legislation and ordinances, all as authorized by the Indiana Civil Rights Act.

SECTION 2. In filling such broad purposes, the Metropolitan Human Relations Commission of the City of Fort Wayne is to:

a. Study the relationships between persons of various races, sexes, creeds, abilities, and nationalities within the City of Fort Wayne and to advise and assist the various departments of the City of Fort Wayne in matters involving relationships between such groups to the end that prejudice, intolerance, bigotry, and discrimination will be eliminated in the City of Fort Wayne;

b. Eliminate discrimination in education,

employment, public accommodation, and housing based upon sex, race, religion, handicap, ancestry, national origin or place of birth.

c. Study, investigate and take action in regard to any condition having an adverse effect upon relations between persons of various races, sexes, creeds, abilities and nationalities;

d. Institute and conduct educational and other programs intended to promote the equal rights and opportunities of all persons.

e. Solicit the cooperation of the various racial, ethnic, handicapped, womens' rights, and religious groups within the community in order to improve the quality of communications and understanding within the community;

f. Stimulate private and governmental departments and agencies to develop and foster meaningful programs in support of the objectives and purposes of the Metropolitan Human Relations Commission;

g. Insure the equal protection of all persons and the full availability of all rights and privileges of citizenship to all persons.

ARTICLE II - DEFINITIONS AND EXEMPTIONS

SECTION 1. As used in this Ordinance, unless a different meaning clearly appears from the context:

a. The term "discrimination" means any difference in treatment based on race, sex, color, religion, handicap, or national origin. The term "discrimination" shall also mean the exclusion of a person from or failure or refusal to extend to a person equal opportunities because of race, sex, religion, color, handicap, or national origin. The term "discrimination" shall also mean the promotion of segragation or separation, in any manner on the basis or race, sex, religion, color, handicap, or nationa l origin.

b. The term "handicap" means (1) physical or mental impairment which substantially limits one or more of a person's major life activities, or (2) a record of such an impairment and includes (3) a person who is regarded as having such an impairment. (4) This term does not apply to drug or alcohol abuse or addiction.

c. The term "Labor Organization" means any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.

d. The term "neighborhood" means a group of residences which are in relative proximity of each other within the metropolitan area of Fort Wayne, Indiana

e. The term "owner" includes the Lessor,

Sublessor, Assignor or managing agent or other persons having the right of ownership or possession or the right to sell, rent, or lease any housing accommodation.

f. The term "person" includes an association, partnership, or corporation, as well as a natural person. The term "person", as applied to partnerships or other associations, includes their members, and as applied to corporations, includes their officers and directors. The term "person" also includes any individual acting in a fiduciary or representative capacity, whether appointed by a court or otherwise. The term "person" shall include the City of Fort Wayne and all other units of local government within the territorial jurisdiction of said city, including Fort Wayne Community Schools, the Allen County Welfare Department and all other county departments within said territorial jurisdiction.

g. The term "real estate broker' means any person as defined herein, who, for a fee or other valuable consideration, sells, purchases, exchanges, or rents or negotiates the sale, purchase exchange or rental of the real property of another, or holds himself or herself out as engaged in the business of selling, purchasing, exchanging, or renting the real estate of another, or collects rental for the use of real property of another.

h. The term "Common Council" shall mean Common Council of the City of Fort Wayne, Indiana,

EXEMPTIONS:

a. With respect to employment discrimination, employers of five (5) or less employees are exempt from the provisions of this Ordinance.

b. It shall be deemed discrimination for any not-for profit corporation or association organized exclusively for religious purposes or for any school, educational or charitable institution owned or conducted by or affiliated with a church or religious institution to devote its resources to its own religion or denomination, or to give preference to members of such institution or educationally to promote exclusively the religious principles for which it is established or maintained.

c. It shall not be deemed discrimination on account of handicap for any governmental agency or not-for-profit corporation established for the purpose of offering or providing education, training or other social services and benefits to handicapped persons to devote its resources to such handicapped persons or to give a preference to handicapped persons with respect to such education, training or social services and benefits.

ARTICLE III THE COMMISSION

SECTION 1. To assist in the elimination of discrimination in the City of Fort Wayne, there is hereby created a commission to be known as the Metropolitan Human Relations Commission.

a. The Commission shall consist of seven (7) members:

i) three of whom shall be appointed by the Common Council;

ii) four of whom shall be appointed by the Mayor

iii) those incumbents serving as Commissioners at the time of this amendment who have been appointed by the Mayor shall continue to hold office until the expiration of their respective terms as provided by General Ordinance G-35-75, and their successors shall be appointed for terms of four (4) years, in order to preserve the staggered appointment dates now in effect.

b. i) one (1) of the Commissioners appointed by the Common Council shall be appointed from among its members at the annual meeting for the election of officers of the Council, and of the six appointments who are not members of the Common Council:

ii) the Common Council shall appoint members to fill the next two vacancies, and, thereafter, shall be responsible for appointing their successors, and

iii) the Mayor shall appoint members to fill the remaining four vacancies, as they arise, and shall thereafter to responsible for appointing their successors.

SECTION 3. Qualifications of Members

a. All members shall be residents of the City of Fort Wayne, Indiana. The Mayor and Common Council shall make only those appointments which insure:

i) that members are persons who have demonstrated a commitment to the purposes for which the Commission is created, and

ii) that the Commission is broadly respresentative of the community in regard to race, religion, national origin, sex, and abilities;

iii) the appointments shall be in such manner that the number of members of the Commission belonging to one (1) of the two (2) major political parties shall not exceed by more than one (1) the number of those belonging to the other major political party, and the Mayor and the Common Council shall take this into consideration in making their respective appointments; provided, however that if they cannot agree upon the manner in which such representation is to be attained, the Mayor shall make that appointment which shall result in one (1) of the major political parties having the greater number of members on

the board.

b. It shall be the duty of the Mayor and the Council publicly to solicit suggestions for Commission appointments from organizations having an interest in the improvement of intergroup relations in the community and to give thoughful consideration to the appointment of persons so suggested.

SECTION 4. Officers

a. At the first meeting of the Commission, which shall be called by the Mayor, the Commissioners shall elect one of their number to serve as Chairman, and shall also elect such other officers as the Commission shall desire from among their members.

b. The Commission shall select an executive director who shall serve as Secretary, who shall not be required to meet the qualifications for membership on the Commission, and who shall be compensated for his services, and such other employees as may be authorized.

c. Death, incapacity or resignation of a member. In the event of a death, incapacity, or resignation of any member, his or her successor shall be appointed by the one who appointed such member and the newly appointed member shall serve for the unexpired period of the term of the one replaced.

d Either the Mayor or the Common Council shall, at any time, have the right to remove any member of the Commission appointed by him or it with cause.

SECTION 5. Powers and Duties

The Commission shall have the following powers and duties:

a. All powers that may lawfully be conferred upon the Commission pursuant to the applicable provisions of Indiana Law including the power to:

i) Investigate, conciliate and hear complaints;

ii) subpoena and compel the attendance of witnesses or production of pertinent documents and records, and make use of such other discovery techniques as shall be necessary to complete investigations or conduct full hearings as provided for in IC 4-22-1 et seq. and Rule 28 (F) of the Indiana Rules of Trial Procedure.

iii) administer oaths;

iv) examine witnesses;

v) appoint hearing examiners or panels;

vi) make findings and recommendations;

vii) issue cease and desist orders requiring remedial action;

viii) order payment of actual damages, except that damages to be paid as a result of discriminatory practices relating to employment shall be limited to lost wages, salaries, commissions or fringe benefits;

ix) institute actions for appropriate legal or equitable relief in an appropriate court;

x) employ an executive director and other staff personnel;

xi) adopt rules and regulations;

xii) initiate complaints, except that no person who initiates complaints may participate as a member of the agency in the hearing or disposition of the complaint; and

xiii) conduct programs and activities to carry out the purposes of the Metropolitan Human Relations Commission provided for in this Ordinance within the territorial boundaries of the City of Fort Wayne, Indiana;

b. The Commission shall hold a regular meeting each month. All meetings and notice thereof shall be conducted in conformity with IC 5-14-1.5-1 et seq.;

c. The Commission shall endeavor to keep itself full informed concerning the studies and findings of private organizations in respect to the practices falling within the Commission's jurisdiction.

d. Annual Report. The Commission shall render an annual report of its doings to the Mayor and to the Common Council and shall render such other additional reports as the Mayor or the Common Council may from time to time request, The reports shall describe in detail, the investigations and conciliation proceedings it has conducted and their outcome, the progress made, and any other work performed and achievement toward the elimination of discrimination.

ARTICLE IV - - PROHIBITED ACTS

SECTION 1. It shall be unlawful for any person to commit any act of discrimination or engage in any discriminatory practice as herein defined.

SECTION 2. Discrimination in the sale or rental of housing or other real property. It shall be unlawful for any owner, real estate broker, salesperson, or other person or any agent thereof:

a. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, national orgin, or handicap;

b. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection

therewith, because of race, color, religion, sex, national origin, or handicap;

c. To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisment, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, national origin, or handicap, or an intention to make any such preference, limitation, or discrimination;

d. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or propective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, national origin, or handicap.

SECTION 3. Discrimination in Financing of Real Estate.

It shall be unlawful for any person, as herein defined, whose business consists in whole or in part in the appraising of property or the making of real estate loans, to deny a loan or other financial assistance to an applicant therefor, or to discriminate against such applicant in the fixing of amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, or to make a lower appraisal valuation because of the race, sex, color, religion, national origin or handicap of such applicant, or of any person connected with such applicant in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given; or because of the presence or absence or the prospective presence or absence within a neighborhood of concentrations of persons of a particular race, sex, handicap, color, religion or national origin.

SECTION 4. Discrimination in employment:

a. It shall be unlawful for any person to discriminate against any person by treating any such person differently or by excluding from or failing or refusing to extend to any person equal opportunities with respect to hiring, termination, compensation, or other terms, conditions or privileges of employment, because of race, sex, color, religion, national origin, or handicap.

b. It shall be unlawful for any employer to fail to make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped employee or prospective employee or to fail to make reasonable accommodations to the religious observance or practice of any employee or prospective employee unless such employer can demonstrate that the accommodation would impose an undue hardship on the conduct of the employer's business.

c. It shall be unlawful for any person to make, print or publish, or cause to be made, printed or published any notice, statement, or advertisement with respect to employment that indicates a preference, limitation, specification or discrimination based on race, sex, religion, color, national origin, or handicap.

SECTION 5. Discrimination by Labor Organizations

It shall be unlawful for a labor organization:

a. to eclude or expel from its membership,

or otherwise to discriminate against, any individual because of race, color, religion, sex, national origin, or handicap;

b. to limit, segregate, or classify its membership, or applicants for membership, or to classify or fail or refuse to refer for employment any individual in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his or her status as an employee or as an applicant for employment, because of race, color, religion, sex, national origin, or handicap;

c. to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

SECTION 6. Discrimination in Public Accommodations.

It shall be unlawful for any person or establishment which caters or offers its services or facilities or goods to the general public to discriminate against anyone because of race, sex, color, religion, national origin, or handicap.

SECTION 7. Discrimination in Education

It shall be unlawful for any person, establishment or governmental agency regularly engaged in the offering of educational services to discriminate against any one because of race, sex, color, national origin or handicap.

SECTION 8. Other unlawful practices:

a. It shall be unlawful for any person to aid, abet, incite, compel, or coerce the doing of any act declared by this Ordinance to be unlawful.

b. It shall be unlawful for any person knowingly to obstruct the fair and lawful enforcement of this ordinance by coercing or intimidating any complainant or prospective complainant, or any witness to any act made unlawful herein, or by destroying any records documents or other evidence relevant to any alleged unlawful discriminatory practice as defined herein, after such person has received actual notice of a discrimination charge or has been served notice of a complaint filed.

c. It shall be unlawful for any person to discriminate against any other person with regard to, or to deny any other person access to or opportunities in employment, real estate transactions, education or public accommodations because any such other person has opposed any practice made unlawful by this Ordinance, or because such other person has made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under this Ordinance.

SECTION 9. Applicability of the Administrative Adjudication and Court Review Act (IC 42211 et seq.)

Whenever the Metropolitan Human Relations Commission conducts proceedings to determine the rights or liabilities of particular persons, proceedings conducted to determine these rights and liabilities will be conducted in conformity with IC 42211 et seq. Judicial Review of the proceedings or the application

by the agency for judicial enforcement of its orders shall be in conformity with IC42211 et seq.; except where IC 42211 et seq. requires notice to be served upon the Attorney General of Indiana or requires the participation of the Attorney General of Indiana, the agency or party seeking review or enforcement shall instead give notice to the City Attorney or the City Attorney shall participate.

ARTICLE V.

SECTION 1. Any person violating any of the provisions of this Ordinance shall, upon convicti thereof, be fined in the sum not to exceed Five Hundred Dollars ($500.00). Each day of violation shall be deemed a separate offense.

SECTION 2. Severability.

If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provisions to persons or circumstance other than those as to which it is held invalid, shall not be affected thereby.

ARTICLE VI Amendments and Repeal

SECTION 1. General Ordinance No. G3575 is hereby repealed except to the extend that those incumbents serving as Commissioners at the time this Ordinance becomes effective as provided for in Article III Section 1 (a) iii hereof shall continue to hold office until the expiration of their respective terms as provided for in said General Ordinance No. G3575.

SECTION 2.

General Ordinance No. G8570 as amended by General Ordinance No. 1272 and Special Ordinance No. 2593 and all other Ordinances of the City of Fort Wayne, Indiana in conflict herewith are hereby repealed.

ARTICLE VII

SECTION 1. This Ordinance shall be in full force and effect from and after its passage by the Common Council approved by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt

Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-21-78 on the 25th day of July , 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of August, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-02 (AS AMENDED)

SPECIAL ORDINANCE NO. S- 118-78

AN ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1979.

WHEREAS, the Mayor and the Common Council of the City of Fort Wayne, Indiana, have assigned to each employee of the City of Fort Wayne a labor grade according to the classification system originally established by Ordinance No. S-84-73, which grades accurately reflect the duties and responsibilities of said employees; and

WHEREAS, the Mayor of the City of Fort Wayne has recommended a maximum salary level for each employee of the City of Fort Wayne, according to labor grade; and

WHEREAS, the Common Council must assure that salaries reflect the duties and responsibilities assigned to each employee, and be certain that salaries are fair and equitable, and provide an incentive for persons to seek and hold employment with the City of Fort Wayne; and

WHEREAS, the funds for such salaries are to be provided from the 1979 City Budget and other sources as may be specified by the Common Council.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That all employees of the City of Fort Wayne, Indiana, shall be classified by the following departments, titles, and labor grades, and that no change shall be made in any title or in any labor grade level without approval of the Common Council. Further, no employee shall be regraded or retitled during 1979 unless the employee is promoted or demoted during that year to an existing position and no new position shall be created without approval of the Common Council.

CIVIL CITY

POSITIONS AND SET SALARIES FOR YEAR 1979

NUMBER OF POSITIONS	TITLE OF POSITION	LABOR GRADE	1979 SALARY
610 - MAYOR			
1	Mayor	20	29,900
1	Administrative Assistant	18	19,568
1	Executive Secretary	7	12,672
1	Executive Secretary A	7	10,424
1	Executive Secretary A	6	9,288
620 - CONTROLLER			
1	Controller	19	27,554
1	Deputy Controller	17	21,477
1	Urban Grants Director	16	19,010
1	Internal Auditor	15	17,746
1	Administrator Federal Funds	14	19,699
1	Office Manager	13	14,721
2	Cost Accountant	12	13,868
1	Barrett Law Accountant	9	11,405
1	Bookkeeping Machine Operator	7	10,635
1	Executive Secretary	7	11,863
1	Accounting Clerk	6	11,187
1	Accounting Clerk	6	11,187
9	Council Members	U	5,200

630 - PURCHASING

1	Director	16	20,126
1	Assistant Director	14	15,094
1	Buyer	10	13,214
1	Buyer	10	12,190
1	Secretary C	4	8,149
1	Clerk-Typist B	2	7,157

640 - METRO. HUMAN RELATIONS COMMISSION

1	Executive Director	17	19,494
1	Deputy Director	14	16,139
1	Staff Attorney	14	15,384
1	Human Relations Representative	10	12,699
1	Secretary A	6	9,288

650 - CITY CLERK

1	City Clerk	U	15,500
1	Council Attorney	U	16,774
1	Legal Secretary	U	4,251
1	Chief Deputy Clerk	U	11,183
1	Legal Secretary - Executive Secretary A	6	9,942
1	Personnel Supervisor - Secretary A	U	10,300
1	Secretary C	4	7,977
1	Secretary C	4	9,360
1	Billing Clerk	3	7,300
1	Teller	3	8,765
1	Secretary A	6	9,910

660 - BOARD OF PUBLIC WORKS

1	Chairman	19	27,554
2	Board Members	18	21,352
1	Administrative Assistant	15	16,604
1	Board Clerk	13	18,095
1	Inspector A	10	14,541
1	Record Clerk	7	10,192
1	Secretary A	6	10,979
1	Secretary B	5	9,896

675 - PUBLIC AFFAIRS

1	Director Citizens Participation	13	14,609
1	Ombudsman	13	14,609
1	Citizens Part. Specialist	12	13,868
1	Asst. Cit. Participation	7	10,303
1	Asst. Ombudsman	5	10,129

680 - COMMUNITY DEVELOPMENT & PLANNING

1	Director	19	24,600
1	Director Long Range Planning	17	21,616
1	Sr. Planner-Sub. Area Plans	16	18,105
1	Sr. Planner-Urban Form	16	18,105
1	Sr. Planner-Land Use	16	18,105
1	Assoc. Planner-Land Use	15	15,385
1	Assoc. Planner-Design	14	15,385
1/2	Assoc. Planner-Urban Form	14	7,692
1	Assoc. Planner-Annex.	14	15,385
1/2	Administrative Assistant	13	7,945
1	Land Use Specialist	12	13,763
1	Asst. Planner-Design	12	13,763
1	Asst. Planner-Sub Area Plans	12	13,763

1	Zone Enforce Officer	12	14,567
1	Asst. Zone Enforcer	10	12,282
1	Executive Secretary C	6	8,922
1	Secretary A	6	9,922
1	Secretary B	5	8,843
1	Secretary B	5	9,410

690 - STREET ENGINEERING

1	Street Engineer	16	22,240
1	Project Engineer	14	19,086
1	Project Engineer	14	17,459
1	Project Engineer	14	17,338
1	Project Engineer	14	16,572
1	Project Engineer	14	16,034
1	Project Engineer	14	15,385
1	Land Acquisition Agent	13	14,610
4	Junior Engineer	12	13,763
1	Engineer Technician	10	15,032
1	Engineer Technician	10	12,190
1	Secretary A	6	9,868
1	Secretary B	5	8,845

700 - BOARD OF SAFETY

2	Member	U	3,500

710 - POLICE

1	Chief	17	21,997
1	Asst. Chief	15	19,160
2	Deputy Chief	15	18,139
11	Captain	12	16,900
16	Lieutenant	11	16,145
14	First, Master Sergeant	10	15,544
40	Sergeant	10	15,392
18	Tech I, Detective I	10	14,640
201	Tech II, Detective II, Patrolman	9	14,640
1	Attorney	U	13,419
1	Chemist	14	18,978
1	Mechanic	8	12,711
1	Mechanic	8	12,617
1	Mechanic	8	12,129
1	Executive Secretary B	5	9,704
1	Executive Secretary B	5	8,845
1	Mechanic Helper	5	11,087

1	Mechanic Helper	5	10,505
3	Secretary B	5	9,291
1	Secretary B	5	8,779
1	Executive Secretary C	4	9,237
1	Executive Secretary C	4	8,757
1	Executive Secretary C	4	8,149
1	Clerk Typist A	3	8,198
4	Clerk Typist A	3	8,476
1	Clerk Typist A	3	8,219
1	Clerk Typist A	3	8,172
3	Clerk Typist A	3	7,617
3	Clerk Typist A	3	7,618
1	Custodian	3	9,835
1	Intern	U	5,870

A. All sworn officers, up to and including Captains, regularly assigned to "B" and "C" shifts of the Fort Wayne Police Department, shall receive a shift differential as follows:

(a) Those regularly assigned to "B" shift, or any shift beginning between 12 Noon and 3:00 P.M. shall have added to their regular determined earnings 5% of the base patrolman's salary for such pay period.

(b) Those regularly assigned to "C" shift, or any shift beginning between 9:00 P.M. and 12 Midnight, shall have added to their regular determined earnings 10% of the base patrolman's salary for each pay period. Those eligible for the shift differential shall not include patrolmen with less than six months seniority, civilian employees, any officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the shift differential for police pension purposes.

B. Technician classifications for police officers are established to reflect greater responsibilities and pay rates over other basic officers as determined by department management.

Technician adders are as follows to a limited total of $24,400:

Technician I Rating	$700 per year
Technician II Rating	$400 per year
Detective I Rating	$500 per year
Detective II Rating	$300 per year

Detective II rating and bonus shall be given to all police officers who are classified as Detectives and who have completed (2) two years of service in the Detective Bureau.

Detective I rating and bonus shall be given as deemed appropriate by the Chief of Police.
In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the technician pay for police pension purposes.

C. All sworn personnel of the Fort Wayne Police Department being regularly employed as police officers shall receive monetary incentive for successfully completing courses at an accredited college or university as follows:

(a) From 1 - 60 semester hours, or 1 - 90 quarter hours the officer shall receive a bonus of $10 per year for every semester or quarter completed with a grade "C" or better.

(b) In excess of 60 semester hours or 90 quarter hours, the officer shall receive a bonus of $10 per year for every semester hour completed with a grade "C" or better.

(c) An additional bonus of $300 per year shall be granted to all officers receiving a four-year baccalaureate degree or its equivalent. Those receiving a two-year degree or its equivalent, shall receive a bonus in the amount of $150. In no case shall the bonus for earned degree exceed $300 or a total bonus for any officer exceed $1,500.

(d) Those attending police oriented seminars, conferences, institutes, or schools shall receive 1/2 semester or 3/4 quarter hour of credit upon successful completion of the course.

The bonus shall be added to the officer's regularly determined earnings. In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Annotated Section 48-6403, be considered as including the educational bonus for police pension purposes. Those eligible for the educational incentive program shall not include officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

730 - FIRE

1	Chief	17	21,997
1	Deputy Chief	16	18,751
6	Asst. Chief	15	18,118
7	District Chiefs	13	17,269
17	Platoon Captains	12	16,563
41	Captains	11	15,891
18	Lieutenants	10	15,250
175	Firefighters	9	14,640
1	Secretary B	5	10,344
1	Secretary B	5	9,765
1	Secretary B	5	9,382
1	Secretary B	5	8,845

740 - OFFICE OF EMERGENCY SERVICES

1	Director	18	21,290
1/2	Secretary A	6	5,110

750 - WEIGHTS & MEASURES

1	Inspector	10	16,301
1	Asst. Inspector	6	10,979

760 - COMMUNICATIONS

1	Chief	15	18,139
1	Captain	13	16,900
1	Captain - Operations	13	16,146
4	Lieutenant	11	15,544
3	Sergeant	10	15,392
4	Radio Technicians	11	15,845
1	Radio Tech. (Civilian)	11	15,146
17	Dispatchers	9	14,640
1	Dispatcher (Civilian)	9	13,800
1	Executive Secretary B	5	8,777

A. Technician classifications for Communications Department officers are established to reflect technical requirements and pay rates over basic officer's as determined by department management. Technician adders are as follows to a limited total of $17,900:

Technician I	$700 per year
Technician II	$500 per year

770 - TRAFFIC ENGINEERING

1	Traffic Engineer	16	21,087
1	Asst. Traffic Engineer	15	18,850
1	Asst. Traffic Engineer	15	15,974
1	Project Engineer	14	15,385
1	Engineer	13	18,117
2	Signal Foreman	13	17,268
1	Sign & Mark. Supervisor	12	16,224
7	Signal Electrician	11	15,891
1	Engineer Technician	10	12,190
5	Signal Apprentice A	10	15,250

1	Data Processing Technician	9	11,318
1	Painter 1st Class	7	12,276
2	Painter 1st Class	7	11,740
1	Painter 1st Class	7	10,706
1	Secretary A	6	10,706
1	Clerk Typist A	3	8,816
1	Clerk Typist A	3	7,616
3	Painters 1st Class	3	9,941

790 - LAW

1	City Attorney	U	21,244
1	Associate City Attorney	U	17,578
5	Associate City Attorney	U	12,072
1	Associate City Attorney	U	9,187
1	Executive Secretary A	7	9,939

810 - HUMANE COMMISSION

1	Manager	12	15,395
1	Spec. Humane Officer	9	13,572
3	Humane Officer	8	13,236
1	Humane Officer	8	10,795
2	Humane Officer	8	10,713
1	Technician	8	10,713
1	Education Specialist	8	10,000
1	Chief Dispatcher	6	9,796
1	Clerk Dispatcher	3	9,692
1	Clerk Dispatcher	3	9,288
1	Kennel Worker	3	9,692
1	Kennel Worker	3	9,289
1	Kennel Worker	3	7,616

835 - EMERGENCY MEDICAL SERVICE

1	Director	14	17,600
1	Supervisor C	8	12,746
1	Supervisor A	8	12,038
1	Supervisor B	8	11,949
25	EMT	7	11,216
1	EMT	7	11,405
2	EMT	7	11,876
1	Executive Secretary A	6	9,942

840 - AVIATION

1	Manager	18	26,283
1	Asst. Manager	14	18,629
1	Asst. Mgr. Operations	13	15,933
1	Asst. Mgr. Finance	13	15,933
1	Chief Crash F/P	13	16,450
1	Sr. Electrician	13	14,610
1	Capt. Crash F/P	12	15,057
1	Capt. Crash F/P	12	14,934
1	Supt. Water Plant	12	13,763
1	Asst. Supt. Roads & Grounds	10	12,192
1	Lt. Crash F/P	10	14,383
1	Lt. Crash F/P	10	14,128
1	Supt. Roads & Grounds	10	13,057
1	Capt. Traffic	9	13,759
3	Firefighters/Pol. Officer	9	13,759
1	Carpenter	8	12,192
1	Heavy Equipment Operator	8	12,063
1	Mechanic	8	13,057
1	Chief Custodian	7	12,556
1	Executive Secretary A	7	9,942
1	Sr. Laborer	7	9,942
2	Equipment Operator	6	9,288
1	Water Plant Operator	6	9,358

6	Jr. Equipment Operator	4	8,151
1	Terminal Police	4	8,800
3	Custodian	3	7,616
1	Janitor	3	9,656
1	Janitor	3	8,949
1	Janitor	3	8,665
1	Janitor	3	8,333
1	Janitor	3	7,677
1	Intern	3	5,870

NUMBER OF POSITIONS	TITLE OF POSITION	LABOR GRADE	1979 SALARY
850 - PARK			
1	Director	18	23,818
1	Asst. Director Parks	15	18,392
1	Asst. Director Recreation	15	18,392
1	Business Manager	15	17,952
1	Director Zoo	13	19,298
3	Park Supervisor A	11	16,251
1	Director Park Services	11	15,194
1	Director Special Services	11	16,251
1	Landscape Architect	11	16,038
1	Engineer/Planner	11	16,251
1	Golf Pro-Greenskeeper	10	15,596
1	Supervisor - Recreation	10	15,360
1	Supervisor - Recreation	10	14,913
1	Supervisor - Recreation	10	14,688
1	Supervisor - Recreation	10	14,148
2	Supervisor - Recreation	10	12,189
4	Supervisor B - Park	10	15,362
1	Supervisor B - Park	10	12,192
1	Horticulturist	10	12,189
1	Administrative Assistant	9	14,148
5	Working Leader	9	13,243
1	Working Leader	9	12,622
1	Working Leader	9	12,527
1	Zoo Curator	9	11,319
1	Greenskeeper	9	14,261
1	Greenskeeper	9	14,227
1	Supervisor C - Recreation	9	11,317
1	Public Information	9	11,317
3	Park Service Officer	8	13,284
1	Park Service Officer	8	11,537
3	Mechanic	8	12,857
1	Electrician	8	12,857
1	Painter	8	12,857
2	Plumbers	8	12,857
1	Carpenter-General Maint.	8	12,857
2	Carpenter-General Maint.	8	12,746
1	Carpenter-General Maint.	8	10,713
2	Mason-Carpenter	8	12,857
2	Heavy Equipment Operator	8	12,857
1	Heavy Equipment Operator	8	12,361
3	Hi Ranger Operator	8	12,857
3	Park Mow. Rte. Man	8	12,857
1	Park Mow. Rte. Man	8	12,360
1	Park Man (Franke)	8	12,857
1	Park Man (J. Appleseed)	8	12,857
2	Mechanic - Small Motors	8	12,857
1	Storeroom Keeper	8	12,857
1	Landscape Leader	8	12,857
1	Welder	8	12,857
1	Draftsperson	8	10,714
1	Super.-Spec. Acct.	8	10,713
2	Zoo Attendants	8	10,713
1	Greenhouse Man	7	9,289
2	Gardeners	7	12,470
2	Gardeners	7	9,942
1	Landscape Gardener	7	12,470
1	Landscape Gardener	7	11,478
1	Park Man - McMillen	7	12,470

5	Spec. Equipment Operator	7	12,470
1	Con. & Gen. Maint. Helper	7	12,470
4	Con. & Gen. Maint. Helper	7	9,942
3	Painter Helper	7	12,470
1	Electrician Helper	7	12,470
1	Plumber	7	12,470
1	Stockkeeper - Recreation	7	12,470
1	Office Manager	7	9,943
3	Tractor Operator	6	9,289
1	Tractor Operator	6	11,851
3	Tractor Operator	6	11,955
1	Tractor Operator	6	9,796
1	Garbage Truck Operator	6	11,955
1	Park Man (Foster)	6	11,955
2	Golf Course Man	6	11,955
1	Golf Course Man	6	9,289
1	Custodian-McCulloch	6	11,955
1	Ice Rink Maint. Man	6	11,955
1	Zoo Maint. Man	6	11,955
1	Sr. Cit. Ctr. Custodian	6	11,954
3	Park Cleaning Rte.	6	11,955
1	Park Cleaning Rte.	6	11,851
1	Park Cleaning Rte.	6	9,289
2	Ball Diamond Rte. Man	6	11,955
1	Ball Diamond Rte. Man	6	11,851
1	Ball Diamond Rte. Man	6	9,289
1	Blvd. Rte. Man	6	11,955
1	Blvd. Rte. Man	6	11,851
4	Park Mowing Rte. Helper	6	11,955
1	Relief Person	6	11,955
1	Relief Person	6	9,289
1	Supervisor C - Parks	9	12,527
1	Recreation Director	6	10,305
1	Recreation Director	6	10,305
1	Tractor Operator	5	11,317
1	Blvd. Rte. Man	5	11,317
1	Gardener - Landscape	5	11,312
1	Gardener - Landscape	5	11,197
1	Gardener Helper	5	11,312
1	Gardener Helper	5	10,279
1	Gardener Helper	5	8,779
1	Greenhouse Helper	5	11,310
1	Greenhouse Helper	5	9,989
2	Park Helper	5	11,312
2	Tree Crew Helper	5	11,312
2	Tree Crew Helper	5	8,779
1	Blvd. Crew Helper	5	11,197
1	Blvd. Crew Helper	5	8,845
1	Blvd. Crew Helper	5	11,317
2	Park Cleaning Rte. Helper	5	11,312
2	Park Cleaning Rte. Helper	5	8,780
1	Garbage Crew Helper	5	8,779
1	Secretary B - Bookkeeper	5	9,383
7	Secretary B - Bookkeeper	5	8,780
1	Secretary B - Bookkeeper	3	10,593
1	Secretary B - Bookkeeper	2	9,988
2	Golf Pro. - Manager	U	7,379

870 - REDEVELOPMENT GENERAL

1	Executive Director	18	27,395
1	Deputy Director	14	15,975
1/2	LDC Developer	14	7,692
1	Administrative Asst.	12	13,867
1	Proj. Tech. Draftsman A	10	12,283
1	Executive Secretary A	7	11,058

891 - PARKING ADMINISTRATION

1	Parking Administrator	13	16,138
1	Parking Control Officer I	9	14,304
1	Parking Control Officer II	8	10,795
1	Garage Leader	8	12,842
2	Parking Control Officer III	4	8,664
1	Secretary C	4	9,430
1	Custodian	3	7,893
1	Utility Man	3	7,618
1	Attendant	2	7,160

SECTION 2. That from and after the first day of January, 1979, all appointive officers, employees, deputies, assistants, departmental and institutional heads of the City of Fort Wayne, Indiana be paid according to this, the above, and the following provisions of this ordinance, subject to budgetary provisions.

SECTION 3. All departments must conform to Personnel policies as approved by the Mayor and administered by the City's Personnel Department.

SECTION 4. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Hinga, Moses, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt
Abstained: One
Nuckols

Date: 8-1-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-118-78 on the 1st day of August, 1978

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 2nd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of August, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-12

SPECIAL ORDINANCE NO. S- 119-78

AN ORDINANCE amending certain lines of so much of Special Ordinance No. S-155-77 (the 1978 Salary Ordinance) as pertains to the Department of Community Development and Planning.

WHEREAS, with the proper approval of higher authority, the Director of the Department of Community Development and Planning has determined upon a reorganization of the department to increase its efficiency and work volume; and

WHEREAS, such reorganization is necessarily reflected in a revision of staff positions and in salaries assigned thereto; but without increasing any of them; and

WHEREAS, such changes will not require any additional appropriation to the current budget of said department;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That so much of Special Ordinance No. S15577 as pertains to the Department of Community Development and Planning is hereby amended as follows:

(1) By deleting therefrom the following lines:

"Director, Current Planning	17	$19,950"
"Land Use Administrator	15	$15,887"
"Secretary B	5	$ 8,305"

(2) By changing the line

"Director, Long Range Planning (partial)	17	$ 8,898"
to "Director, Long Range Planning (full)	17	$19,950"

(3) By adding the following lines:

"1 Associate Planner	14	$14,445"
"3 Senior Planner	16	$17,000"

SECTION 2. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-119-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-08-08

RESOLUTION NO. R-38-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Park Dept. vehicle #24 1976 Ford License Plate #M010124	$ 197.45	Frame Service Inc.
2)	Police Dept. unit #119, 1974 Ford Galaxy, 4 door sedan License Plate #2E9985	515.16	Northway Chrysler Plymouth
3)	Police Dept. unit #33, 1979 Plymouth Grand Fury, 4 door sedan License Plate #11133	556.72	Allen County Motors
4)	Park Dept. vehicle #22, 1972 Ford Truck License Plate #10122	649.58	Allen County Motors
5)	Park Dept. vehicle #66, 1971 GMC Truck License Plate #10166	70.00	Hoosier Truck Equipment & Spring Service, Inc.
	TOTAL	$1,988.91	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicles repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-38-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong , Mayor

496

BILL NO. S-78-07-13

SPECIAL ORDINANCE NO. S-120-78

AN ORDINANCE approving an Agreement between the County of Allen and the City of Fort Wayne, Indiana for the conveyance of real estate from the County of Allen to the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement between the County of Allen, and by its Board of Commissioners, the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Park Commissioners for the real estate described as follows, to wit:

Beginning at the Northeast corner of Lot 59 in West View Heights Addition (formerly Carver Center Addition), as recorded in Plat Book 22, Pages 2021, in the Office of the County Recorder, Allen County, Indiana; thence west along the north line of said addition, a distance of 410.00 feet; thence north along the east rightofway line of a street known as Carver Court, a distance of 25.75 feet; thence west along the north line of said addition, a distance of 170.00 feet; thence north along the west line extended of Lot 40 in said addition, a distance of 26.65 feet; thence in a northeasterly direction along the southeasterly rightofway line of Hale Avenue, a distance of 22.65 feet; thence south 1°18' west, a distance of 32.32 feet; thence north 89°39' east, a distance of 574.88 feet, to the west line of Brackenridge's Subdivision, a distance of 599.68 feet, to the south line of the southwest quarter of said section; thence west along said south line of the southwest quarter of said section, a distance of 9.4+ feet, to the intersection of the east line extended of said West View Heights Addition and the south line of the southwest quarter of siad section; thence north along the east line of said West View Heights Addition, a distance of 565.00 feet, to the point of beginning, containing .53 acres more or less, and excluding rightofway for Covington Road

all as more particularly set forth in said agreement which is on file in the Office of the Board of Park Commissioners and is by reference incorporated herein, and made a part hereof be, and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-120-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-14

SPECIAL ORDINANCE NO. S-121-78

AN ORDINANCE REPEALING SECTION 1
PARAGRAPH (3) OF SPECIAL ORDINANCE NO.
667 AND ENACTING IN ITS PLACE A NEW
ORDINANCE ESTABLISHING AND
CHANGING THE NAME OF A CERTAIN STREET

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Paragraph (3) of Section 1 of Special Ordinance No. S667 is hereby repealed and there is enacted in its place the following;

SECTION 2. The name of Runnion Avenue from Spring Street to Emerson Avenue is changed to North Highlands Boulevard.

SECTION 3. This Ordinance shall be effective from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-121-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-06-27

GENERAL ORDINANCE NO. G-22-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain alley

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the

General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

> the East-West alley from the West right-of-way line of Eade Avenue to the West boundary line of Lot 31 in Eade's Addition, lying between Lots 30 and 31 and Lot 32 in Eade's Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Paul M . Burns
Councilman

Read the third time in full and on motion by V. Schmidt, , seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-22-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-06-32

GENERAL ORDINANCE NO. G-23-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

> The East-West Alley 12.5 feet wide extending from the East rightofway line of line of McAffee Street to the West rightofway line of Griswold Drive. Said alley lies between Anderson and Tennessee Streets. Said alley lies South of Part Lot #2 in Wells Reserve and North of Lots #29 thru 31, Inc. Fairview Place Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Work of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-23-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-06-13

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. J-7

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. J7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

> Lots number 11, 12, and 13 in Park's Addition, in Section 15, Township 30 North, Range 12 East, described in a deed to Volney Parks, recorded in Deed Record 66, pages 427 and 428 in Allen County, Indiana, located on the northeast corner of Whitmore Street and Westview Avenue.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine - Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 8-8-78

Charles W. Westerman, City Clerk

500

BILL NO. S-78-07-20

SPECIAL ORDINANCE NO. S-122-78

AN ORDINANCE approving a contract for Sidewalk & Curb Improvement Resolution No. 5800-1978, between the City of Fort Wayne, Indiana and Carrington & Associaties, Inc., for construction of a new sidewalk and curb at 1435 S. Anthony Blvd.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 17, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Carrington & Associates, Inc., for:

> construction of a sidewalk and curb on Hayden Street (1436 S. Anthony Blvd.) from the west curb line of South Anthony Boulevard to the first alley west thereof to a width of five feet

under Board of Public Works Sidewalk and Curb Improvement Resolution No. 58001978, at a total cost of $5,472.10, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-122-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-21

SPECIAL ORDINANCE NO. S-123-78

AN ORDINANCE approving Change Order No. 1,
in connection with the Lincolnshire Addition
Sidewalk Improvement Resolution No. 5789-77.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Carrington & Associates, in connection with Lincolnshire Addition Sidewalk Improvement Resolution No. 578977, for:

> additional sidewalk removal and construction, seeding and top soil, which was necessary due to drainage problems and deterioration of the concrete. One lot added to project previously omitted.

in the amount of $514.50, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-123-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-22

SPECIAL ORDINANCE NO. S-124-78

AN ORDINANCE approving City Utilities Blanket
Purchase Order No. B-0133, with American
Cyanamid Company for supplies for the
Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Blanket Purchase Order No. B0133, dated July 6, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the

Board of Public Works and American Cyanamid Company, for:

liquid Aluminum Sulfate for the Water Pollution Control Plant, at a cost of 0.04566/lb.

all as more particularly set forth in said blanket purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-124-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-23

SPECIAL ORDINANCE NO. S-125-78

AN ORDINANCE approving City Utilities Purchase Order No. 0139 with Arrow Fence Co., Inc. for materials for the Technical Services Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0139, dated July 7, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Arrow Fence Co., Inc., for:

installation of a chain link fence around the new test lab of the Technical Services Department located at 401 E. Masterson St.

at a cost of $5,390.59, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-125-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-24

SPECIAL ORDINANCE NO. S- 126-78

AN ORDINANCE approving Change Order No. 1
in connection with the Tillman Road Water
Main Adjustment, Contract #77-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to TG Excavating, Inc., in connection with the Tillman Road Water Main Adjustment, Contract #772, for:

> additional four linear feet of 16" water main and five linear feet of 8" water main lowered in order to complete project properly,

in the amount of $232.54, as set out in the specifications, is hereby in all things, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-126-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-07-25

SPECIAL ORDINANCE NO. S- 127-78

AN ORDINANCE approving Change Order No. 1
in connection with the Tillman Road Sanitary
Interceptor Sewer Resolution No. 299-77.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to T G Excavating, Inc., in connection with the Tillman Road Sanitary Interceptor Sewer Resolution No. 29977, for:

> placing #73 Stone Backfill to reinforce and stabilize area where sewer line is, since a concrete sidewalk will be constructed along the rightofway. Persistent wet gound conditions in this area necessitates base stabilization under sewer pipe.

in the amount of $1,696.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-8-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-127-78 on the 8th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of August, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-04

SPECIAL ORDINANCE NO. S-128-78

AN ORDINANCE approving an
Agreement with Bus Huts, Inc., for construction
of Bus Stop Shelters

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated August 4, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Bus Huts, Inc., for:

> the erection on public right-of-way
> and /or private property, Bus Stop
> Shelters along street frontage for
> Bus patrons along with built-in-ad
> vertisment panels,

of which the developer shall pay the entire cost and expense of the construction of said Bus Stop Shelters, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-128-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-05

SPECIAL ORDINANCE NO. S-129-78

AN ORDINANCE approving a certain bid
document for purchase of one 1979
Plymouth Volare for Community Development
and Planning

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 839, dated July 11, 1978, between the City of Fort Wayne, by and through its Mayor and the Community Development and Planning Department and Northway Chrysler Plymouth, Inc, for the purchase of one (1) 1979 Plymouth Volare, 4 door sedan, at a total cost of $4,764.45, all as more particularly set forth in said bid document Ref. No. 839 and Purchase Order No. 402890, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: ONe
Burns
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-129-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-06

SPECIAL ORDINANCE NO. S-130-78

AN ORDINANCE approving a certain bid document for purchase of one 1979 Trail Duster for the Board of Public Safety's Traffic Engineering Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 841, dated July 25, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Northway Chrysler Plymouth, Inc., for one (1) 1979 Plymouth Trail Duster, two (2) door, four (4) wheel drive vehicle, for the Board of Public Safety's Traffic Engineering Department, at a total cost of $6,887.55, all as more particularly set forth in said bid document Ref. No. 841 and Purchase Order No. 402889i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-130-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-07

SPECIAL ORDINANCE NO. S-131-78

AN ORDINANCE approving Change Order No. G-4, in connection with restoration of Old City Hall

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. G4 to W. A. Sheets & Sons, Inc., in connection with restoration of Old City Hall, for:

additional plaster patching, stairs and window work previously deleted,

in the amount of $19,940.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-131-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-06-12

ZONING MAP ORDINANCE NO. Z-18-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-6

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 06, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

N. 70 feet of Lots 11 and 12, White's Third Addition

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-18-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-06-31

ZONING ORDINANCE NO. Z-19-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-6

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a Perfect B3A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 06, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots #1, 2 & 3 in White's Third Addition to the City
of Fort Wayne

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-19-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-13

SPECIAL ORDINANCE NO. S-132-78

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5807-1978, between the City of Fort Wayne, Indiana and Dailey Asphalt Products Co., Inc. for resurfacing and restoring pavements

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 2, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Co., Inc., for:

resurfacing pavement in the 5th & 6th Councilmanic Districts, Pettit, South Wayne Avenue, Hanna Street, East Pontiac Street, Trentman Avenue, Fruehauf Drive, Smith Street, Central Drive, Holton Avenue

under Board of Public Works Street Improvement Resolution No. 58071978, at a total cost of $174,753.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-132-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-14

SPECIAL ORDINANCE NO. S-133-78

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5806-1978, between the City of Fort Wayne, Indiana and Hipskind Asphalt Corporation for resurfacing and restoring pavement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 31, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hipskind Asphalt Corporation, for:

resurfacing pavement in the 3rd & 4th Councilmanic Districts, West State Boulevard, Poinsette Drive, Sprunger Avenue, Emerson Avenue, Freeman Street, Winchester Road, State Boulevard,

under Board of Public Works Street Improvement Resolution No. 58061978, at a total cost of $262,034.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-133-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-15

SPECIAL ORDINANCE NO. S-134-78

AN ORDINANCE approving a contract for curb and Sidewalk Improvement Resolution No. 5796-1978, between the City of Fort Wayne, Indiana and Brooks Construction Company, Inc., for curbs and sidewalks on the "Landing"

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 24, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Brooks Construction Company, Inc., for:

> construction of sidewalks and curbs for Columbia Street, between Calhoun and Harrison Streets, known as "The Landing", along with resurfacing and trees,

under Board of Public Works Curb and Sidewalk Improvement Resolution No. 57961978, at a total cost of $150,840.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, HInga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abse nt: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-134-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-16

SPECIAL ORDINANCE NO. S-135-78

AN ORDINANCE approving Change Order No. 1, in connection with "The Landing" Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Brooks Construction Company, Inc., in connection with "The Landing" Project, for:

> removal and replacement of sidewalk on Rose Marie Alley so that it will conform with the rest of the sidewalk being constructed on "The Landing"

in the amount of $3,920.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by HInga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-135-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-17

SPECIAL ORDINANCE NO. S-136-78

AN ORDINANCE approving a contract for curb and Sidewalk Improvement Resolution No. 5801-1978, between the City of Fort Wayne, Indiana and Hipskind Asphalt Corporation for construction of Sidewalks in the East Central Community Association Impact Area

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 24, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hipskind Asphalt Corporation, for:

construction of curbs, sidewalks, wingwalks and para plegic ramps in the East Central Community Association Impact Area N.P.I. Phase III, (this area bounded by Oak Street on the North, Lewis Street on South, Division Street on East and Ohio Street on West),

under Board of Public Works Curb and Sidewalk Improvement Resolution No. 58011978, at a total cost of $76,459.60, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-136-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-18

SPECIAL ORDINANCE NO. S-137-78

AN ORDINANCE approving a contract for
Curb and Sidewalk Improvement Resolution No.
5802-1978, between the City of Fort Wayne,
Indiana, and Hipskind Asphalt Corporation,
for construction of curbs and sidewalks
in the Nebraska Area Phase III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 24, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hipskind Asphalt Corporation, for:

construction of curbs and sidewalks in the Nebraska
Neighborhood Area, Phase III,

under Board of Public Works Curb and Sidewalk Improvement Resolution No. 58021978, at a total cost of $97,065.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-137-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-19

SPECIAL ORDINANCE NO. S--138-78

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5803-1978,
between the City of Fort Wayne, Indiana, and
L. W. Dailey, Inc., for concrete pavement
at 3704 & 3710 Vance Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 24, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and L.W. Dailey, Inc., for:

concrete pavement fronting at 3704 and 3710 Vance Avenue,

under Board of Public Works Street Improvement Resolution NO. 58031978, at a total cost of $6,965.40, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-138-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-20

SPECIAL ORDINANCE NO. S-139-78

AN ORDINANCE approving Change Order No. 1,
in connection with Sidewalk Improvement
Resolution No. 5770-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Hipskind Asphalt Corporation, in connection with Sidewalk Improvement Resolution No. 57701977, for St. Joe Boulevard, for:

new driveway replacements as grade elevation changed with
installation of new curbs and sidewalk,

in the amount of $1,611.75, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, HUnter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-139-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-21

SPECIAL ORDINANCE NO. S-140-78

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5805-1978, between the City of Fort Wayne, Indiana and Dailey Asphalt Products Co., Inc. for r surfacing and restoring pavement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 2, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Co., Inc. for:

resurfacing pavements in the 1st & 2nd Councilmanic Districts, Lombard Street, Wayne Trace, Williams Street, Douglas Avenue, Lake Avenue, Columbia Avenue, Forest Park Boulevard, West Drive, Kenwood Avenue,

under Board of Public Works Street Improvement Resolution No. 58051978, at a total cost of $218,372.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-140-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-22

SPECIAL ORDINANCE NO. S-141-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0175 with Northway
Leasing Company for a vehicle for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Order No. 0175, dated July 25, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Northway Leasing Company for one (1) 1979 Van type truck for the Water Maintenance & Service Department, in the amount of $9,297.75, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-141-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-23

SPECIAL ORDINANCE NO. S-142-78

AN ORDINANCE approving City Utilities
Blanket Purchase Order Nos. B-0142 with
Gladieux Refinery, Inc., and B-0152 with
Industrial Fuel Oils, Inc. & Civil City
Blanket Purchase Order No. B4-02855
with Gladieux Refinery, Inc. for fuel oil
diesel fuel for various departments

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Blanket Purchase Orders, numbered and listed below, dated July 25, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent, Director of Purchasing and the Board of Public Works and the vendors listed for fuel oil and diesel fuel for various departments, as follows:

CITY UTILITIES PURCHASE ORDER NO. B-0142 WITH GLADIEUX REFINERY, INC.

Approx. 30,000 Gallons - #2 Fuel Oil - Tank Truck Delivery .4047 Gallon

Approx. 100,000 Gallons - #2 Fuel Oil - Transport Delivery .3747 Gallon

Approx. 2,000 Gallons - #1 Fuel Oil - Tank Truck Delivery .4197 Gallon

Approx. 220,000 Gallons - #2D Diesel Fuel - Trans. Delivery .3747 Gallon

CITY UTILITIES PURCHASE ORDER NO. B-0152 WITH INDUSTRIAL FUEL OILS, INC.

Approx. 100,000 Gallons - #5 Fuel Oil .3820 Gallon

CIVIL CITY PURCHASE ORDER NO. B4-02855

Approx. 30,000 Gallons - #2 Fuel Oil - Tank Truck Delivery .4047 Gallon

Approx. 100,000 Gallons - #2 Fuel Oil - Transport Delivery .3747 Gallon

Approx. 2,000 Gallons - #1 Fuel Oil - Tank Delivery .4197 Gallon

Approx. 4,000 Gallons - #2D Diesel Fuel - Tank Truck Del. .4047 Gallon

Approx. 220,000 Gallons - #2D Diesel Fuel - Trans. Delivery .3747 Gallon

Approx. 15,000 Gallons - Special Diesel Mix .4074 Gallon

all as more particularly set forth in said Blanket Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: NOne
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-142-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-24

SPECIAL ORDINANCE NO. S-143-78

AN ORDINANCE approving City Utilities Purchase Order No. 0180 with International Harvester Co., for a vehicle for the Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0180, dated July 27, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and International Harvester Co., for:

one 1979 International Harvester Model F1954, 10 cubic yard dump bodd mounted on tandem axle cab and chassis for the Water Pollution Control Plant

at a cost of $33,130.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-143-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-25

SPECIAL ORDINANCE NO S-144-78

AN ORDINANCE approving City Utilities Purchase Order No. 0179 with Scherer & Maxfield, Inc., for a vehicle for the Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0179, dated July 27, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Scherer & Maxfield, Inc., for:

one International Harvester Cub Cadet Lawn Tractor, Model No. 1250 with rotary mower, snow blade and snow blower for the Water Pollution Control Plant,

at a cost of $2,800.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, HInga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: NOne
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-144-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-26

SPECIAL ORDINANCE NO. S-145-78

AN ORDINANCE approving City Utilities Purchase Order Nos. 0184 with International Harvester Co., No. 0185 with Allen County Motors and No. 0186 with The Truck Engineering Company for vehicles for the Water Pollution Control Maintenance Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Orders, numbered and listed below, dated July 28, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and the following companies for the purchase of vehicles for the Water Pollution Control Maintenance Department in the amounts as hereafter set out, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

PO NUMBER	VEHICLE	COMPANY	
0184	One 1979 Dump Tandem Truck International Harvester	International Harvester	$21,022.97
0185	Two 1979 Dump Trucks Ford F600	Allen County Motors	$17,934.30
0186	One Dump Body 1978 Aristocrat #225-S and Hoist 1978 Heil #2724	The Truck Engineering Company	$ 4,800.60
0186	Two Dump Bodies 1978 Aristocrat #S25-S and Hoist 1978 Aristocrat #HP-30	The Truck Engineering Company	$ 4,401.80
		TOTAL	$48,159.67

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-145-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-27

SPECIAL ORDINANCE NO. S-146-78

AN ORDINANCE approving City Utilities Purchase Order No. 0183 with Hefner Chevrolet, Inc. for a vehicle for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0183, dated July 27, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Hefner Cheverolet, Inc., for:

one 1979 1/2 Ton Pickup Truck, Chevrolet Model CC10903 for the Street Lighting Department,

at a cost of $4,627.36, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Moses, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-146-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-28

SPECIAL ORDINANCE NO. S-147-78

AN ORDINANCE approving Change Order No. 21, in connection with the Water Quality Control Project - Division I of Water Pollution Control Plant Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 21 to HagermanShambaugh, joint bidders, in connection with the Water Quality Control Project Division I of Water Pollution Control Plant Addition, for:

modification of Motor Control Center to conform with electrical requirements, provide emergency lighting source in stairways in aeration tunnel, additional emergency power source, relocation of Gas Compressor, deletion of Remote Stop/Start pushbuttons on Shredder to prevent injury, alter Sluice Gate to conform with requirements, change electrical conductors to cope with electrical load requirement, install new Motor Control Center Cubicle to receive new Style Starters for necessary electrical components and installation of new larger size circuit breaker for new Compressor being furnished,

in the amount of $83,471.27, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 8-22-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-147-78 on the 22nd day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of August, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-03

SPECIAL ORDINANCE NO. S-148-78

AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1979

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of $4.180 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1979, the same to be to be divided as follows:

General Fund $2.806

Park Department		.523
Redevelopment General		.006
Fire Pension		.217
Fire Pension - New 5/1/77	.007	
Police Pension		.307
Police Pension - New 5/1/77	.011	
Fine Arts Fund		.007
Redevelopment Bond		.058
1975 Street Bond		.060
Sewer Relief		.042
Street Lighting		.052
Redevelopment District Capital	.039	
TOTAL		$4.189

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols
Absent: One
Moses

Date: 8-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-148-78 on the 28th day of August, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of August, 1978, at the hour of 8:00 A.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-29

SPECIAL ORDINANCE NO. S-149-78

AN ORDINANCE approving a certain bid document for purchase of 3 mobile radios for the Board of Public Safety's Emergency Medical Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Reference No. 844, dated July 26, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and General Electric Company, for 3 mobile radios for the Board of Public Safety's Emergency Medical Services Department, at a total cost of $6,129.00, all as more particularly set forth in said bid document Reference No. 844 and Purchase Order No. 402966G, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-149-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-30

SPECIAL ORDINANCE NO. S-150-78

AN ORDINANCE approving an amended
Agreement with Bus Huts, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Amended Agreement with Bus Huts, dated August 7, 1978, between the City of Fort Wayne, Indiana by and through its Mayor and the Board of Public Works and Bus Huts, Inc. for:

> the erection on public right-of-way and/or private property, Bus Stop Shelters along street frontage for Bus patrons along with builtin advertisment panels,

of which the developer shall pay the entire cost and expense of the construction of said Bus Stop Shelters, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-150-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-31

SPECIAL ORDINANCE NO. S-151-78

AN ORDINANCE approving an Agreement to purchase Real Estate from Ronald G. and Sherrell B. Staker for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated August 8, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Ronald G. and Sherrell B. Staker, for:

Lot #234, Drexel Park Addition

for the total cost of $6,400.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-151-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-32

SPECIAL ORDINANCE NO. S-152-78

AN ORDINANCE approving a Contract between Citizens Cable of Fort Wayne, Inc. and City of Fort Wayne for Cable TV Franchise

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Contract dated August 16, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Citizens Cable of Fort Wayne, Inc., for:

> Cable TV Franchise for the City of Fort Wayne, Indiana for a period of fifteen (15) years from effective date of General Ordinance G2078 to operate a cable communications system in the City of Fort Wayne, Indiana,

all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talrico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-152-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-33

SPECIAL ORDINANCE NO. S-153-78

AN ORDINANCE approving a certain bid
document for purchase of 5 Hi-Band
Radios for the Board of Public Safety's
Communications Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Reference No. 847, dated July 26, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Motorola, Inc., for 5 HiBand Radios for the Board of Public Safety's Communications Department, at a total cost of $10,999.00, all as more particularly set forth in said bid document Reference No. 847 and Purchase Order No. 402925E, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-153-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-07

RESOLUTION NO. R-39-78

A RESOLUTION authorizing payment to
City Utilities for repair parts for
the Traffic Engineering Department
(Signal Division)

WHEREAS, the Traffic Engineering Department (Signal Division) was in need of repair parts, and insurance monies in reimbursement for such repair parts have been received and receipted by the City Controller in the amount of $620.41, and City Utilities furnished said repair parts;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay $620.41 to City Utilities for furnishing such repair parts, upon receipt of a proper voucher from the city Traffic Engineer.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-39-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-08

RESOLUTION NO. R- 40-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

Vehicle	Insurance Payment	Repair Agency
1) Police Dept. unit No.33 1976 Plymouth, 4 door sedan License #11133	$237.14	Northway Chrysler Plymouth
2) Police Dept. unit No. 6, 1977 Plymouth, 4 door sedan License #MO11106	$410.33	Allen County Motors
Total	$647.47	

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-40-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-08-36

SPECIAL ORDINANCE NO. S-154-78

AN ORDINANCE approving City Utilities Purchase Order No. 0212 with General Electric Company for light fixtures for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0213, dated August 14, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

fifty (50) 250 Watt H.P.S. Cutoff Fixtures Cat. #C667G511, powered powrdoor luminaire 120240 volt street lighting, (energy efficient lights with great light control and uniformity in roadway lighting application)

at a cost of $5,550.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein amd made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-154-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-06-35 (AS AMENDED)

SPECIAL ORDINANCE NO. S-155-78

AN ORDINANCE amending certain sections
of Chapter 24 "Sewer and Sewerage Systems"
so as to increase the rates prescribed

WHEREAS, it is necessary to increase the rates charged for use of the Water Pollution Control Service owned and operated by the City for the benefit of its inhabitants and of the inhabitants of the surrounding area who take advantage of its existence, in order to pay the increased operating expenses and other costs incidental to the operation and maintenance of the newly expanded Water Pollution Control Treatment Plant.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, 1974 is amended to be and read as follows:

ARTICLE VII. USER CHARGES

701. User Volume Charges. The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)	Class of User: Domestic	Class of User: Manufacturing
Treatment	17.8	17.8
Conveyance, Collection, Billing	17.3	11.3
Capital	11.1	8.4
Total User Charge	46.2	37.5

702. User Minimum Charges. In the event the monthly sewage service charge calculated in accordance with the water consumption schedule exhibited above does not exceed the minumum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage.

Water Meter Size	Minimum Monthly Charge
5/8 - 3/4"	$ 2.72
1 - 1 1/2"	5.16
2"	16.65
3"	33.44
4"	55.58
6" or larger	154.39

703. User Flat Charges. In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer		Monthly Flat Charge (1)
Domestic User	Single Family Residence	$6.70
Domestic User	Multi Family Residence	To be estimated by City
Commercial & Industrial User		To be estimated by City

(1) Subject in addition, if applicable, to zone surcharge. Estimates of monthly flat charges for multifamily residences shall be based on the number of family units accommodated by the system multiplied by the single family residence monthly charges. Estimates of monthly flat charges for commercial and industrial establishments shall be either estimated based on number of employ ees, manufacturing processes used and other pertinent sewer use in dicators or based upon outfall measurements where available.

704. Regional Contract Sewage Treatment Charges. In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

Volume Charge (cents per 100 cu. ft.)

Treatment	17.8
Captial	11.1
	28.9

Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to that portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of $.50 and a monthly surveillance charge of $75.00.

Excess Strenght of Waste Surcharge

In the event a contract customer contribution waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	Cents Per Pound
Suspended Solids (SS)	3.731
Biological Oxygen Demand (BOD)	3.736
Phosphorus _ (P)	35.754

Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional

capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

Zone Surcharge

The total of foregoing charges for which any contract customer will be liable to City hereunder may be increased by the zone surcharge rate set forth in Article IX hereafter if said contract customer qualifies by reason of location.

Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by Chapter 24, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user served by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance, Industrial Cost Recovery System and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204B (1), Public Law 92500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U. S. Environmental Protection Agency and 40 CFR 35.9058, 35.9281 and 35.9282, and 35.9282, and 35.93513.

705. Bulk Waste Charges.

Industrial For all industrial waste picked up from customer and hauled in City's vehicles to plant $148.75 per load.

Domestic For all domestic waste delivered to plant by customer's truck or tank $21.75 per load. For purposes of computing
c charges hereunder, a load is defined as 1,000 gallons of tank capacity.

706. Annual Review of Service Charges. Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose will submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus from the sewage treatment plant influent during the previous calendar year, with the unit charges currently in effect, in order that the Board may determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilitized in developing this cost comparison shall include:

1. A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and re placement costs to each user class.

2. Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenace provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation, attributable to such class.

ARTICLE VIII. STRENGTHOFWASTES SURGHARGE

801. Liablity for Surcharge. Each user discharging wastes into the sewerage system shall be subject to a strenght of wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strenght characteristics to the extent that such wastes are in concentrations greater than as follows:

a. Biochemical oxygen demand of 220 milligrams per liter

b. Chemical oxygen demand of 440 milligrams per liter

c. Suspended solids content of 250 milligrams per liter

d. Phosphorus content of 10 milligrams per liter

802. Computation of Surcharge. The surcharge shall be determined as follows:

a. The excess pounds of BOD or COD (whichever results in the higher charge, suspended solids, and phosphorus will each be computed by first muliplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentra tions set out in paragraph 801. The surcharge for each consti tuent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in paragraph 803. In the event COD measurement is used, as herein before provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

803. Rates of Surcharge. The rate of surcharge for each of the aforementioned constituents shall be as follows:

a.	For biological oxygen demand (BOD)	3.736 cents per pound
b.	For suspended solids (SS)	3.731 cents per pound
c.	For phosphorus (P)	35.754 cents per pound

804. Waste Evaluation Charges. All users discharging wastes into the system requiring continuing surveillance, sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of $75.00 per discharge point.

805. Revision of Rates of Surcharge. Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

ARTICLE IX. ZONE SURCHARGE

901. The charges for sewerage services rendered to users situated outside the primary zone of the City of Fort Wayne shall be 136% of the charges collected from users for the same service rendered within the primary zone as defined and described in the map attached hereto and made a part of this ordinance. The purpose of this surcharge is to recover funds contributed from civil city tax levies used hereto fore to construct facilities of the sewage works located within the primary zone. This surcharge shall terminate on December 31, 1981 or after collections therefrom shall equal $990,000.00 whichever occurs sooner.

ARTICLE X. BILLING OF SERVICE CHARGES

1001. Billing Period. Charges for sewerage service shall be prepared and billed by the General Office of the City Utilities along with the bills for water service and shall be payable at the General Office at the same time as the water bills.

1002. Liability for Payment. The charges for sewerage service shall be billed to the person being billed for water service unless, by contract with the Utility, another person assumes such responsibility. If a tenant is billed, the owner shall in no way be relieved of

liablity in the event payment is not made by the tenant as herein required. Such owner shall have the right to examine the City's collection records to ascertain whether such charges have been paid.

1003. First Billings. The rates, charges and surcharges fixed in this ordinance shall be extended to and cover any additional premises hereafter served without the need for any hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the service charges for such billing shall be made in keeping with standard practice in the Water Utility. Subsequent sewerage service billings shall be for period coinciding with the billing periods for water service. If such rates, charges and/or surcharges are changed, the first billing after such change may also be for a period other than a full billing month in order to keep the sewerage billing periods coincident with the water billing periods.

1004. City Subject to Charges. For sewerage service rendered to the City, the City shall be subject to the same rates and charges herein established for other persons or to rates and charges established in harmony herewith.

1005. Consolidation of Accounts. Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more continguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings shall be made for the purpose of calculating the sewerage charge.

SECTION 2. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne
Abstained: One
Burns

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-155-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1978, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-05-14 (AS AMENDED) (AS AMENDED) (AS AMENDED)

SPECIAL ORDINANCE NO. S-156-78

AN ORDINANCE TO PROVIDE FOR COLLECTIVE BARGAINING, AND THE ARBITRATION OF DISPUTES WITH RESPECT TO POLICE OFFICERS AND FIREFIGHTERS OF THE CITY OF FORT WAYNE, INDIANA

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. This Ordinance may be cited and referred to as the Police Officers' and Firefighters' Arbitration Ordinance.

SECTION 2. It is hereby declared to be the public policy of the City of Fort Wayne, Indiana;

1. That the City should recognize each labor organization as selected by the majority police officers in an appropriate unit, and as selected by the majority of firefighters in an appropriate unit, and that such organizations should have the right to bargain collectively in their respective members' behalf.

2. That a reasonable, fair and equitable method of settling disputes between police officers or firefighters and the City should be established in the public interest.

3. That in the protection of the public health, safety and welfare of the citizens of Fort Wayne, Indiana, police officers in the Police Department and firefighters in the Fire Department thereof should not, and will not, be accorded the right to strike. A strike will constitute a violation of this ordinance.

SECTION 3. As used in this Ordinance, the following terms shall have the following meanings, unless the context requires a different interpretation:

1. The term "Police Officers" shall mean the permanent members of the Fort Wayne Police Department in an appropriate bargaining unit.

2. The term "Fire Fighters" shall mean the permanent members of the Fort Wayne Fire Department in an appropriate bargaining unit.

3. The term "factors" shall mean wages, hours of employment, fringe benefits and working conditions.

4. The term "City" shall mean the City of Fort Wayne and those officially designated person (s) by the Mayor, who shall act on behalf of the City on all factors.

5. The term "Supervisor" means a police officer having the authority in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other police officers, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

6. The term "bargaining unit" or "unit" shall apply to:

a. The group composed exclusively of non supervisory police officers;
b. The group composed exclusively of super visory police officers;

c. The group composed of all members of Fort Wayne Fire Department.

7. The term "exclusive representative" shall mean the labor organization selected by the majority of police officers and fire fighters in an appropriate unit to represent them as to wages, hours of employment, fringe benefits and working conditions.

8. The term "Strike" shall mean any group action or refusal to act, which results in any interference with normal activity of the department, such as, but not limited to willful absence from one's position, sick in, or stoppage of work or abstinance or interference in whole, or in part from the full, faithful and proper performance of duties of employment without the lawful approval of the City.

SECTION 4. The police officers and fire fighters of the City all have the right to

bargain collectively with the City and to be represented by such labor organization as selected by the majority of police officers and fire fighters in an approppriate unit with respect to factors. The unit shall be recognized as the exclusive representative, unless and until such recognition is withdrawn by a vote of majority of police officers and fire fighters in the unit. All elections shall be by secret ballot.

SECTION 5. Dues Deduction: The City shall, upon written receipt of the authorization of a police officer or a fire fighter, deduct from the pay of that employee any fee designated or certified by the appropriate officer of an employees' organization, and shall remit those fees to the employees' organization.

SECTION 6. (a) It shall be the obligation of the City to meet and bargain in good faith with the representative or representatives of the bargaining unit within five (5) days after receipt of written request for a meeting for collective bargaining purposes. Notices for collective bargaining shall be given to the City by service upon the Controller of the City of Fort Wayne and to the presiding officer of the City Council. The obligation to bargain in good faith shall include the duty to cause any agreement, resulting from such negotiations, to be reduced to writing. A contract may also contain a grievance procedure culminating in final and binding arbitration on unresolved grievances, but such binding arbitration shall have no power to amend, add to subtract from or supplement provisions of the contract. PROVIDED, HOWEVER, that the term of any such contract in writing shall not exceed three (3) years.

(b) The person(s) designated by the Mayor to represent the City are hereby authorized to conduct all negotiations. Persons so designated shall not be elected government officials.

(c) The Mayor shall meet with the Common Council prior to negotiations to gain suggestions from the members of Council as to items to be considered at the bargaining table. The Mayor shall inform the Common Council at regular intervals of the progress of negotiations.

SECTION 7. In the event that the bargaining unit and the City are unable, within thirty (30) days from and including the date of their first meeting, to reach an agreement on a contract, any and all unresolved issues shall be submitted to mediation and if need be arbitration. If the selection of a mediator cannot be agreed upon mutually, the Federal Mediation anc Conciliation Service shall provide a mediator upon the request of either the City or the exclusive representative. If the bargaining unit representatives and the City, with the assistance of a mediator, are unable within twentyfive (25) days after the date of the first meeting with the mediator to reach an agreement on a contract, any unresolved issues must be submitted to arbitration.

SECTION 8. Within ten (10) days from the expiration date of the twentyfive (25) day period referred to in Section 7 hereof, the bargaining unit and the City shall begin the process of selecting one arbitrator from a list of seven (7) arbitrators (list with resumes of arbitrators will be provided by Federal Mediation and Conciliation Service) by alternately eliminating names until one arbitrator's name remains. Elimination procedure will be determined by drawing of lots and selection must be completed within (10) days from receipt of list from Federal Mediation and Conciliation Service. The arbitrator so selected shall be deemed the arbitrator.

SECTION 9. The arbitrator shall call a hearing to be held within ten (10) days after the date of his selection. The hearing shall be informal, and the rules of evidence prevailing in judicial proceedings shall not be applicable. Any and all documentary evidence and other data deemed relevant by the arbitrator may be received in evidence. The arbitrator shall have the power to administer oaths, to require by subpoena the attendance and testimony of witnesses, the production of books, records and other evidence relative or pertinent to the issues presented to him for determination.

The hearing conducted by the arbitrator shall be concluded within twenty (20) days from the time of commencement, and within ten (10) days after the conclusion of the hearings the arbitrator shall make written findings and conclusions upon the issues presented, a copy of which shall be mailed or otherwise delivered to the bargaining unit and the City. The arbitrator's decision(s) shall be considered nonbinding, unless the bargining unit and the City agree prior to arbitration that the decision (s) in certain areas shall be binding upon both parties. Decisions in regard to annual pay and monetary fringe benefits and hours of employment shall be subject to approval by the Common Council in accordance with statutory authority granted by IC 181-112.

SECTION 10. The arbitrator shall conduct the hearings and render his decision upon the basis of a prompt, peaceful and just settlement of all disputes and issues between the bargaining unit and the City with respect to factors. The matters, among other, to be given weight by the arbitrator in arriving at a decision shall include:

1. Comparison of factors in respect to Police Departments and Fire Departments with similar and like factors prevailing innnot only the local area, but prevailing in other second class cities in Indiana.

2. The interest and welfare of the public.

3. Comparison of peculiarities of employment in regard to other trades or professions, in particular:

   a. Hazards of employment;
   b. Physical qualifications:
   c. Eductional qualifications;
   d. Mental qualifications;
   e. Job training and skills

4. Such other matters as the arbitrator may deem pertinent or relevant.

SECTION 11. Reasonable fees and necessary expenses of mediation and arbitration shall be borne equally by the bargaining unit and the City.

SECTION 12. Any agreements negotiated between the bargaining unit and the City either before, or within thirty (30) days after arbitration, shall constitute the collective bargaining contract with respect to the police officers or firefighters and the City for the period stated therein; PROVIDED, HOWEVER, that such period shall not exceed three (3) years.

SECTION 13. Whenever the factors, as herein defined, or any other matters requiring the appropriation of money by the City are included as matters of collective bargaining conducted under the provision of this Ordinance, it shall be the obligation of the bargaining unit to serve written notice of request for collective bargaining in respect to factors on the City at least one hundred twenty (120) days before the last day on which money can be appropriated by the City to cover the contract period which is the subject of the collective bargaining procedure.

SECTION 14. If any provision of this Ordinance, or application thereof to any person or circumstances, is held unconstitutional or otherwise invalid, the remaining provisions of this Ordinance shall not be affected thereby.

SECTION 15. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-156-78 on the 12th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 21st day of September, 1978, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-04

SPECIAL ORDINANCE NO. S-157-78

AN ORDINANCE approving an Agreement
to purchase Real Estate from Clara M.
Reardon for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated August 16, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Clara M. Reardon, for:

East 64' Lot 155, Weisser Park Addition Amended

for the total cost of $5,475.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-157-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-05

SPECIAL ORDINANCE NO. S-158-78

AN ORDINANCE approving an Agreement
to purchase Real Estate from Laura
E. Brown for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated August 16, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Laura E. Brown, for:

North 1/2 Lot 75, Rockhills Second Addition

for the total cost of $8,000.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-158-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-06

SPECIAL ORDINANCE NO. S-159-78

AN ORDINANCE approving an Agreement
to purchase Real Estate from David Hartman
for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated August 21, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and David Hartman, for:

Lot 120, except NW corner, Drexel Addition

for the total cost of $5,000.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-159-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-52 (as amended)

RESOLUTION NO. R-41-78

A RESOLUTION APPROVING THE ACCEPTANCE
OF THE OFFER TO PURCHASE INBALCO
UTILITY ASSETS

WHEREAS, Optionees of Inbalco Utilities offered to the negotiating committee of the Common Council, Board of Public Works, and the Mayor of the City of Fort Wayne to sell to the City of Fort Wayne, all of the property and plant operating rights and franchise, and customers, located in Allen County, Indiana, for the sum of $4,440,000. on September 21, 1978; and

WHEREAS, said purchase is in the public interest, and in the interest of the City of Fort Wayne Utilities, and it is economically feasible to make such purchase.

NOW, THEREFORE, the Common Council of the City of Fort Wayne approves the acceptance of the offer to purchase said Utility assets for $4,440,000. subject to the approval of the regulatory agencies having jurisdiction and authorizes the Board of Public Works to take all steps necessary to consummate said purchase forthwith; this acceptance to be confirmed in writing by optionees of Inbalco Utilities within 48 hours.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-41-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-03

RESOLUTION NO. R-42-78

AN ORDINANCE transferring and
reappropriating $6,500.00 in the 1978 Budget
of the Police Department

WHEREAS, an EMERGENCY exists for the appropriation of additional funds to a certain account of the 1978 Budget of the Police Department, for which surplus funds exist in other accounts of said Budget available for transfer to meet such need, which transfer the City Controller has recommended;

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby transferred and appropriated to Account No. 10710581 "Investigations" of the 1978 Budget of the Police Department, from the following Accounts of such budget, the amounts set out below, to wit:

from Account No. 10-710-331 "Household & Laundry"...$2,500.00

from Account No. 10-710-371 "Canine Supplies".....$4,000.00

Total $6,500.00

SECTION 2. That the unexpended balance of Accounts No. 10710331 and 10710371 of the 1978 Budget of the Police Department are hereby reduced by the amounts of $2,500.00 and $4,000.00 respectively.

SECTION 3. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-42-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-47

RESOLUTION NO. R-43-78

A RESOLUTION approving Section 8 Project

WHEREAS, The Housing Authority of the City of Fort Wayne, Indiana, (hereinafter called "Housing Authority"), proposes to operate a project under the Housing Assistance Payments Program of Section 8 Existing Housing of the United States Housing Act of 1937 as amended (hereinafter called "U.S. Housing Act"); and

WHEREAS, pursuant to Indiana's Housing Authorities Act as amended, the Housing Authority may not initiate a project until it is approved by the local governing body which activated the Housing Authority.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a project, which will be operated by the Housing Authority pursuant to the Housing Assistance Payments Program of Section 8 of the U.S. Housing Act and which will include assistance on behalf of up to approximately 587 eligible families and elderly persons, is hereby approved.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NONe
Abstained: One
Burns

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-43-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-51

RESOLUTION NO. R-44-78

A RESOLUTION authorizing the issuance and sale of $1,200,000.00 Economic Development Revenue Bonds (Don Ayres Pontiac, Inc. and Paul A. Bradtmiller Project) of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring facilities, authorizing the execution of the necessary instruments, providing for the

pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues, and authorizing the sale of said bonds

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquistion, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly or by loan to a company and said facilities to be either owned by a company or leased to a company or sold to a company; and

WHEREAS, PAUL A. BRADTMILLER, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 20000 foot expansion of facilities for Don Ayers Pontiac, Inc. for additional body shop, used car sales room and a new car preparation department, to be located at 4624 Lima Road, Fort Wayne, INdiana, on an approximate 2.6 acre tract of land (the "Project"); and

WHEREAS, the Don Ayres Pontiac, Inc., an Indiana Corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of economic development and increase in job opportunities (15-20 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, THE CITY OF FORT WAYNE, AN INDIANA MUNICIPAL CORPORATION, AS FOLLOWS:

SECTION 1. The Fort Wayne Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The Fort Wayne Common Council further finds, determines ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed the sum of $1,200,000.00, being an immediate issuance of bonds in the sum of $700,000.00, of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act, and the sum of $500,000.00 of additional bonds of the Issuer for future expansion of the Project on adjacent real estate.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Fort Wayne Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-44-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-07-17

ZONING MAP ORDINANCE NO. Z-20-78

AN ORDINANCE amending the City of
Fort Waynce Zoning Map No. DD 13

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. DD13, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 9, 10, and 11 in Woodlawn Park Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 28, Pages 3334.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-20-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-07-19

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. F-17

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. F17, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, towit:

A parcel of land situated in DE ROME RESERVE in Township 31 North, Range 13 East, Allen County, Indiana, being a part of that part of the rightofway lying Southeastward of its centerline, of the St. Joe Road as presently established; together with part of Block "E" GEORGE L. ASHLEY HOMESTEAD as recorded in Plat Book 8, page 84, in the office of the Recorder of said County, and in particular described as follows, to wit:

To arrive at the place of beginning, commence on the Northeasterly line of an 18 foot wide strip conveyed by Theodore H. Ashley to St. Joe Methodist Church as recorded in Deed Record 383, page 429, May 18, 1945 at a point situated 25.0 feet North of the centerline of the St. Joseph Center Road, said road centerline being also the South line of Section 17, Township 31 North, Range 13 East, thence West on a line parallel to the centerline of said road, a distance of 105.1 feet; thence Northwesterly by a deflection right of 23 degrees 46 minutes along the rightofway line of said road as established by Indiana Project S 728 (1) 1961, a distance of 70.8 feet to the Southeasterly rightofway line of the said St. Joe Road at the place of beginning initially mentioned, as situated 20.0 feet Southeaterly of the centerline of said road; thence Northeasterly on the aforesaid rightofway line by a deflection of 103 degrees 46 minutes to the right of the previous course, a distance of 155.4 feet to the Northeast line of the 18foot wide strip initially referred to; thence Northwesterly by a deflection left of 63 degrees 58 minutes on the aforesaid line, a distance of 14.4 feet to a point situated 40.0 feet normally Southeasterly from the centerline off St. Joe Road as established by Indiana Project S 728 (1) 1961; thence Southwesterly on a line parallel to the aforesaid centerline by a deflection left of 95 degrees 07 minutes, a distance of 57.3 feet to a point of curve; thence continuing Southwesterly on a 28 degree 50 minute circular curve to the left, introrsely concentric to the centerline curve of St. Joe Road as established by Indiana Project S 728 (1) 1961; a distance of 106.6 feet; thence Southeasterly a distance of 44.0 feet to the place of beginning; containing 0.135 acre, that lies southeast of the centerline of the St. Joe Road as presently established.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 9-26-78

Charles W. Westerman
City Clerk

BILL NO. G-78-07-16

GENERAL ORDINANCE NO. G-24-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation
of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, towit:

AMENDED LEGAL DESCRIPTION:

An alley in Sturgis 2nd Addition, ten (10) feet wide, beginning at the west right-of-way line of Fairfield Avenue; thence westerly between Lots Numbered 1 and 2 of Sturgis 2nd Addition to the east right-of-way line of an alley, twelve (12) feet wide, lying west of and adjacent to said Lots Numbered 1 and 2 of Sturgis 2nd Addition; and

That portion of an alley in Sturgis 2nd Addition, twelve (12) feet wide, beginning at the southeast right-of-way line of the Norfolk and WEstern Railway; thence south between Lots Numbered 1 and 2 and Lot Numbered 11 of Sturgis 2nd Addition a distance of 57.1 feet, said terminus being the westerly extension of the north line of a new alley, ten (10) feet wide, to be dedicated across Lot Number 2 in Sturgis 2nd Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-24-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-16

GENERAL ORDINANCE NO. G-25-78

AN ORDINANCE REPEALING SEC. 15
OF CHAPTER 8 OF THE MUNICIPAL CODE
OF THE CITY OF FORT WAYNE, INDIANA,
1946, 1959 EDITION ALSO CITED AS SEC.
5-28 OF THE CODE OF THE CITY OF FORT
WAYNE, INDIANA OF 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Sec. 15 of Chapter 8 of The Municipal Code of the City of Fort Wayne, Indiana 1946, 1959 edition also cited as Sec. 528 of the Code of the City of Fort Wayne, Indiana of 1974 prohibiting endurance dances is hereby repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date : 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-25-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-09-40

RESOLUTION NO. R-45-78
A RESOLUTION SUPPORTING PLAN FOR TRICK
OR TREATING IN NEIGHBORHOOD SHOPPING
CENTERS AND COMMENDING THE SPONSORING
ORGANIZATIONS

WHEREAS, certain Neighborhood Shopping Centers, i.e., Georgetown Square The Uncommons - White Swan Plaza Statewood Plaza Westland Mall Riveriera Plaza Quimby Village in conjunction with Radio Station WLYV are sponsoring Halloween trick or treating; and,

WHEREAS, each of said Neighborhood Shopping Centers will be the focal point for that specific area's neighborhood parents to bring their children to the Shopping Center, and spend three (3) hours of controlled trick or treating within the stores where the parents of said children may participate in the fun and games; and,

WHEREAS, the merchants and clerks in said shopping centers will be dressed in costumes and prizes will be awarded to children for such things as the funniest costume and the most original costume; and,

WHEREAS, Radio Station WLYV will be broadcasting from each of the Shopping Centers with a Disc Jockey at each location sometime during the three (3) hours; and

WHEREAS, all of the above will be under the supervision of the Fort Wayne Police and Fire Departments and the Allen County Police Department.

NOW THEREFORE BE IT RESOLVED:

"That the Common Council of the City of Fort Wayne does endorse the project of trick or treating hereinabove outlined and does further commend all of the organizations participating in said project."

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hunter, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-45-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-18

SPECIAL ORDINANCE NO. S-160-78

AN ORDINANCE approving a contract for Improvement Resolution No. 5808-1978, between the City of Fort Wayne, Indiana and Carrington & Associates, Inc. for construction of sidewalks and curbs

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 16, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Carrington & Associates, Inc., for:

improvement and repairing curbs, sidewalks, and catch basin in an area bounded by Jefferson St. on the north, Hendricks St. on the south, Fairfield Ave. on the east and Broadway Ave. on the west; also known as the West Central Community Association Impact Area P.P.I. Phase III,

under Board of Public Works Improvement Resolution No. 58081978, at a total cost of $49,417.30, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and

by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-160-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-19

SPECIAL ORDINANCE NO. S-161-78

AN ORDINANCE approving a contract for
Improvement Resolution No. 5804-1978,
between the City of Fort Wayne, Indiana
and Rieth-Riley Construction Co., Inc.
for construction of sidewalks and curbs

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 16, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and RiethRiley Construction Co., Ind., for:

improvement of sidewalks, curbs, alley approaches and catch basins on Third and Fourth Streets between Sherman Blvd. and Barthold St.,; Andrew St. (west side only) between Fourth St. and Spring St.; High St. (south side only) between Sherman Blvd. and Barthold St.; Wefel St. from High St. north to alley; Barthold St. from High to Fourth St., (west side only between Third and Fourth Sts.) (Northwest Central Phase III)

under Board of Public Works Improvement Resolution No. 58041978, at a total cost of $81,319.80, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-161-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-20

SPECIAL ORDINANCE NO. S-162-78

AN ORDINANCE approving Contract #77-W-4
between the City of Fort Wayne, Indiana
and Worthington Pump, for materials for
St. Joe Dam Pumping Station

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain Contract, dated September 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Worthington Pump, for:

furnishing centrifugal pumping unit, replacement of motor and impeller and accessories at the St. Joe Dam Pumping Station, City of Fort Wayne, Indiana, Water Works Improvements,

under Board of Public Works Contract #77W4, at a total cost of $271,480.00 all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns,Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-162-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-21

SPECIAL ORDINANCE NO. S-163-78

AN ORDINANCE approving Contract #77-W-3
between the City of Fort Wayne, Indiana
and Shambaugh & Sons for improvements
to the Water Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain Contract, dated September 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Shambaugh & Sons, for:

St. Joseph Dam & Pump Station Additions, City of Fort Wayne, Indiana Water Works Improvements, which includes the following: erection of pumping equipment (furnished by the owner under Contract #77W4), furnishing and installation of a new traveling water screen, tainter gate hoists, related pipe work, and valves, and electrical work and other miscellaneous revisions to the present raw water pumping station including "Shotcrete" repair to the exisiting St. Joseph Dam,

under Board of Public Works Contract #77W3, at a total cost of $789,500.00 all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-163-78 on the 26th day of September, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-22

SPECIAL ORDINANCE NO. S-164-78

AN ORDINANCE approving Contract #77-W-2
between the City of Fort Wayne, Indiana
and Hagerman Construction - Shambaugh,
joint bidders for improvements to Three
Rivers Water Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain Contract, dated September 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hagerman Construction Shambaugh, joint bidders, for:

> Filtration Plant Additions, City of Fort Wayne, Indiana, Water Works Improvements, as follows: A 24 million gallon per day expansion to the Three Rivers Water Filtration Plant, including a chemical building with chemical storage, handling and feeding equipment, primary flocculation, sedimentation, and recarbonation tanks and equipment; secondary mixing, flocculation, sedimentation and recarbonation tanks and equipment; eight gravity filters with superstructure, chlorination equipment, process control equipment, mechanical and electrical system and site work and also including miscellaneous revisions to existing treatment facilities,

under Board of Public Works Contract #77W2, at a total cost of $14,728,000.00 all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-164-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-23

SPECIAL ORDINANCE NO. S-165-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0231 with Newberry
Construction Company for materials for
the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0231, dated August 22, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Newberry Construction Company, for:

Spy Run Railroad repairs, i.e. removal and replacement of tracks, rails and concrete drives located at the Three Rivers Filtration Plant,

at a cost of $6,313.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-165-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-24

SPECIAL ORDINANCE NO. S-166-78

AN ORDINANCE approving City Utilities Purchase Order No. 0229 with Wayne Pipe and Supply for materials for the Water Maintenance and Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0229, dated August 21, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Wayne Pipe and Supply, for:

600 Curb Box Repair Lids for the Water Maintenance and Service Department,

at a cost of $2,632.80, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-166-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-25

SPECIAL ORDINANCE NO. S-167-78

AN ORDINANCE approving City Utilities Purchase Order No. 0228 with MacDonald Machinery Company for materials for the Water Maintenance & Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0228, dated August 21, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and MacDonald Machinery Company, for:

Two Underground Piercing Tools for the Water Maintenance and Service Department

at a cost of $5,370.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-167-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-26

SPECIAL ORDINANCE NO. S-168-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0223 with WEMCO
Division % Envirotech Corp. for materials
for the Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Order No. 0223, dated August 18, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and WEMCO Division % Envirotech Corp., for:

One WEMCO 4" X 4" Model "C" Pump for the Water Pollution Control Plant,

at a cost of $2,390.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: NIne
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-168-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-27

GENERAL ORDINANCE NO. G-26-78

AN ORDINANCE OF THE CITY OF FORT WAYNE, INDIANA, CONCERNING THE CONSTRUCTION OF EXTENSIONS AND ADDITIONS TO THE WATERWORKS SYSTEM OWNED AND OPERATED BY SAID CITY, AUTHORIZING THE ISSUANCE OF REVENUE BONDS TO PROVIDE FOR THE COST THEREOF, AND MATTERS CONNECTED THEREWITH

WHEREAS, the City of Fort Wayne is the Owner of and operates an unencumbered waterworks furnishing the public water supply to said City and its inhabitants; and

WHEREAS, the Board of Public Works, having the management of said waterworks, has determined, and the Council now finds, that said waterworks is in need of certain extensions and additions, consisting of renovating and expanding the water filtration plant and of making additions and improvements to the St. Joseph Dam and Pump Station; that said extensions and additions are required in order to protect properly the health, wellbeing and property of the City and its inhabitants; and

WHEREAS, the Board of Public Works has determined that the cost of the proposed extensions and additions, based upon construction bids received and estimates as to contingencies and incidental expenses, will be Eighteen Million Dollars ($18,000,000), and has represented to the Council, and the Council now finds, that, subject to the approval of the Public Service Commission of Indiana, funds for said project should be provided by the issuance and sale of revenue bonds payable solely out of the revenues of said waterworks and not constituting a general obligation of the City; that such revenue bonds may be issued provided that the same are made on a parity with the bonds authorized by General Ordinance No. G95-67, as amended by General Ordinance No. G10467 and G11067, and designated as "Waterworks Revenue Bonds of 1967", issued under date of November 1, 1967, and now outstanding in the amount of Two Million Seven Hundred Sixty Five Thousand ($2,765,000), maturing serially over a period ending on January 1, 2000, and the bonds authorized by General Ordinance No. G2968 and designated as "Waterworks Revenue Bonds of 1968", issued under date of December 1, 1968, and now outstanding in the amount of Two Million Nine Hundred sixty- five Thousand Dollars ($2,965,000), maturing serially over a period ending on January 1, 2000; and that the revenues of the City's waterworks will be sufficient to provide for the operation and maintenance thereof, depreciation, and the servicing of said outstanding revenue bonds and the revenue bonds authorized by this ordinance, provided that the water rates and charges are increased concurrently herewith; and that it would be to the best interests of the City and its citizens to proceed with the proposed extensions and additions to the City's waterworks; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the City of Fort Wayne (hereinafter sometimes referred to as the "City"), being the owner of and engaged in operating an unencumbered waterworks supplying the City and its inhabitants with water for public and domestic use, now provide for certain needed extensions and additions to such waterworks and the payment for such extensions and additions by the issuance of bonds payable from the revenues and receipts of said waterworks, pursuant to and in the manner prescribed in the Indiana Code of 1971, Title 19, Article 3, Chapter 17, and the laws amendatory thereof and supplemental thereto (sometimes hereinafter referred to as the "Act":). The terms "waterworks", "waterworks system", and "system", wherever used in this ordinance shall be construed to mean and include the existing waterworks owned by the City of Fort Wayne, and all extensions, additions and improvements thereto and replacements thereof now or subsequently constructed or acquired.

Section 2. Said extensions and additions shall include the renovating and expansion of the water filtration plant and making of additions and improvements to the St. Joseph Dam and Pump Station, all of which shall be constructed and installed in accordance with the plans and specifications prepared

by McNamee, Porter and Seeley, consulting engineers of Ann Arbor, Michigan, which plans and specifications are made a part hereof by reference and are hereby approved. To provide for the issuance and sale of revenue bonds, the Board of Public Works in Resolution No. 66-133-23 dated August 16, 1978 has heretofore approved the employment of Ice, Miller, Donadio and Ryan as bond counsel, an agreement with William N. Salin to provide services relative to the undertakings herein authorized, and the employment of Bernard T. Perry as financial consulant, which Resolution & agreements are made a part hereof by reference and are hereby approved. The Board of Public is hereby authorized to proceed with the construction and installation of said extensions and additions, and to enter into all contracts necessary for such purpose in conformity with the provisions of this ordinance and of said Act; provided that the principal and interest of all bonds issued pursuant to this ordinance shall be paid solely and exclusively from the revenues of said waterworks system and that no bonds shall be issued or sold until the approval of the Public Service Commission of Indiana shall have been obtained for the issuance of such bonds, and said Commission shall have certified that the estimated income and revenues of the waterworks system under the increased rates, in addition to providing for operation, maintenance and depreciation of said system, are sufficient to pay the interest on and the principal of the outstanding bonds payable out of the revenues of the waterworks system and the interest on and principal of the bonds authorized by this ordinance. The Mayor and Board of Public Works are hereby authorized to file a proper petition with the Public Service Commission for the purpose of securing the required approval of said Commission.

Section 3. The income and revenues of the City's waterworks system shall be set aside into a separate and special fund to be used and applied in the maintenance and operation thereof, in establishing a depreciation account, and to the payment of the interest on and principal of the bonds authorized by General Ordinance No. G9567 (as amended by General Ordinances No. G10467 and G11067), and General Ordinance No. G2968, and by this ordinance, and such other bonds as may be legally payable out of the income and revenues of the waterworks, in accordance with their respective priorities and provisions. The proportion of the gross revenues of said waterworks that shall be paid into the several accounts of said special fund, beginning as of the date of issuance of the bonds herein authorized, is hereby fixed and determined as follows:

(a) Operation and Maintenance Account. Sixtyone per cent (61%) of the gross revenues of said waterworks shall be set aside into the Operation and Maintenance Account, and shall be used solely to pay the necessary costs of the reasonable and proper operation and maintenance of the waterworks, including any taxes required to be paid. The necessary cost of the reasonable and proper operation and maintenance of the waterworks shall, in addition to the usual items chargeable to operation and maintenance be deemed to include payments to the Civil City of Fort Wayne in lieu of taxes which would be payable if the waterworks were a privatelyowned utility; provided, however, that no payments on account of said additional item shall be made which will in any wise adversely affect or jeopardize the continued operation of the waterworks or interfere with the payment of current operating and maintenance charges as the same accrue. The funds so set aside for operation and maintenance shall be applied exclusively to that purpose until a surplus shall have been accumulated in said account which will be equal to the cost of maintaining and operating the system during the remainder of the calendar, operating or fiscal year then current, and the cost of maintaining and operating said system during the calendar, operating or fiscal year then next ensuing. Any excess over such surplus may be transferred to the Depreciation Account, or the Bond and Interest Redemption Account hereinafter referred to.

(b) Depreciation Account. Twelve per cent (12%) of the gross revenues of said waterworks shall be set aside into the Depreciation Account and shall be expended in making good depreciation in the waterworks or in new construction, extensions or additions to the property of the waterworks. Any accumulations in said Depreciation Account not required for immediate use may be invested in direct obligations of the United States Government to the extent permitted by law, and if so invested the income from the investment shall accrue to the Depreciation Account. The funds in said account shall not be used for any purpose other than as herein provided.

(c) Bond and Interest Redemption Account. Twentyseven per cent (27%) of the gross revenues of the waterworks shall, as such revenues are received, be set apart and paid into a special account to be identified as the "Bond and Interest Redemption Account". The funds in said account shall be used solely for the purpose of paying the interest on and principal of the Waterworks Revenue Bonds of 1967, issued pursuant to General Ordinance No. G9567 (as amended by General Ordinancss No. G10467 and G-11067), the Waterworks Revenue Bonds of 1968, issued pursuant to General Ordinance No. G2968, the bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued ranking on a parity therewith, to the extent required for that purpose. If and when a surplus shall be created in said Bond and Interest Redemption Account which shall be in excess of the interest on and principal of the bonds, plus ten per cent (10%), which are payable during the then current calendar, operating or fiscal year, together with the amount of interest on and principal of the bonds which will become due and payable during the calendar, operating or fiscal year then next ensuing, then any excess over such surplus may be transferred to either the Operation and Maintenance Account or the Depreciation Account. In the event any of the bonds payable out of said Bond and Interest Redemption Account shall be subject to redemption prior to maturity, any such excess over such surplus may also be used in the redemption of outstanding bonds at not more than the redemption prices and in accordance with the redemption provisions applicable thereto.

All of the funds of said several accounts shall be deposited in lawful depositories of the City and shall be continuously held and secured, or invested as provided by the laws of Indiana relating to the depositing, securing and holding, or investing of public funds. In no event shall any of the revenues

of said waterworks be transferred or used for any purpose not authorized by this ordinance or reasonably implied by the provisions hereof, so long as there are outstanding any bonds payable out of the income and revenues of the City's waterworks.

Section 4. For the purpose of procuring funds with which to pay the cost of construction and installation of the extensions and additions to its waterworks, the City shall issue its revenue bonds under and pursuant to the provisions of this ordinance and said Act, which bonds shall be payable only out of the special Bond and Interest Redemption Account herein provided for, and shall be designated as "Waterwork Revenue Bonds of 1978". Said bonds shall be in a principal amount not exceeding Eighteen Million Dollars ($18,000,000), in the denomination of Five Thousand Dollars ($5,000) each, numbered consecutively from 1 up, dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding six and onehalf per cent (61/2%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on January 1 and July 1 of each year, beginning on July 1, 1979, and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the American National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or at the Manufacturers Hanover Trust Company, in the Borough of Manhattan, City and State of New York, in lawful money of the United States of America, and said bonds shall mature serially on January 1 in the years and amounts as follows:

Year	Amount	Year	Amount	Year	Amount
1980	310,000	1988	525,000	1996	865,000
1981	330,000	1989	560,000	1997	915,000
1982	345,000	1990	595,000	1998	970,000
1983	370,000	1991	635,000	1999	965,000
1984	390,000	1992	675,000	2000	1,025,000
1985	425,000	1993	720,000	2001	1,555,000
1986	455,000	1994	770,000	2002	1,650,000
1987	490,000	1995	820,000	2003	1,640,000

The bonds of this issue maturing on January 1, 1990, and thereafter, shall be redeemable at the option of the City, in whole or in part, in inverse chronological order of maturity and by lot within a maturity, on July 1, 1989, or any interest payment date thereafter, at face value, together with the following premiums:

3% if redeemed on July 1, 1989, or thereafter on or before January 1, 1991;

2% if redeemed on July 1, 1993, or thereafter on or before January 1, 1996;

1% if redeemed on July 1, 1996, or thereafter prior to maturity;

plus in each case accured interest to the date fixed for redemption. Notice of such redemption shall be published at least thirty (30) days prior to the date fixed for redemption at least one time in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a financial journal of general circulation published in the City of New York, New York, and a like notice shall be sent by mail to the holders of such bonds as are then registered. The notice shall specify the date and place of redemption and the serial numbers of the bonds called for redemption. Interest on the bonds so called for redemption shall cease on the date fixed in said notice, if funds are available at the place of redemption to redeem the bonds when presented.

Section 5. Said bonds shall be executed in the name of the City by the facsimile signature of the Mayor, countersigned by the facsimile signature of the City Controller, and attested by the manual signature of the City Clerk, who shall affix the seal of the City to each of said bonds, The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the Mayor and City Controller, and said officials, by the execution of said bonds, shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. In case any officer whose signature appears on the bonds and coupons shall cease to be such officer before the delivery of such bonds, his signature shall nevertheless be valid and sufficient for all purposes the same as if such officer has remained in office until such delivery.

Said bonds shall be negotiable by delivery unless registered. Upon presentation of the bonds at the office of the City Controller in the City of Fort Wayne, said City Controller shall register said bonds without charge or expense to the holder, as to the principal thereof. Such registry shall be noted on the bond, after which no transfer thereof will be valid unless made by the registered owner in person or by his attorney duly authorized and similarly noted on the bond, but said bond may be discharged from registry by being in like manner transferred to bearer, after which it shall be transferable by delivery but may be again registered as before. The registration of any bond shall not affect the negotiability of the interest coupons attached thereto, but such coupons shall continue to pass by delivery only and shall remain payable to bearer.

Section 6. The form and tenor of said bonds, the interest coupons to be attached thereto, and the form of registry endorsement thereon shall be substantially as follows, towit:

UNITED STATES OF AMERICA
State of Indiana County of Allen

No. _____ $5,000

CITY OF FORT WAYNE
WATERWORKS REVENUE BOND OF 1978

The City of Fort Wayne, in Allen County, State of Indiana, for value received, hereby promises to pay to the bearer, or if this bond be registered then to the registered holder hereof, solely out of the special revenue fund hereinafter referred, to the principal amount of

FIVE THOUSAND DOLLARS

on the first day of January, 19___(unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid, at the rate of _____ _____per cent (_____%) per annum, payable semiannually on the first days of January and July of each year, beginning July 1, 1979, but only upon presentation and surrender of the annexed interest coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America, at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder at the American National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or at the Manufacturers Hanover Trust Company, in the Borough of Manhattan, City and State of New York.

This bond is one of an authorized issue of thirtysix hundred (3,600) bonds of the City of Fort Wayne, of like date, denomination, tenor and effect, except as to rates of interest and dates of maturity, in the total amount of Eighteen Million Dollars ($18,000,000), numbered consecutively from 1 to 3600 inclusive , issued for the purpose of providing funds to pay the cost of extensions and additions to the municipally owned waterworks of said City, pursuant to an ordinance passed by the Common Council of said City on the _____day of _____, 197_____, entitled "An Ordinance of the City of Fort Wayne, Indiana, concerning the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, and matters connected therewith", and in strict compliance with the provisions of the governing statutes, particularly Title 19, Article 3, Chapter 17 of the Indiana Code ., and all laws amendatory thereof or supplemental thereto.

The Principal of and interest on this bond and all other bonds of said issue, certain Waterworks Revenue Bonds of 1967, now outstanding in the principal amount of Two Million Seven Hundred Sixty-five Thousand Dollars ($2,765,000) issued under date of November 1, 1967, pursuant to General Ordinance No. G9567, as amended by General Ordinances No. G10467 and G11067, bearing interest at the rate of five per cent (5%) per annum, and maturing over aperiod ending on January 1, 2000, certain Waterworks Revenue Bonds of 1968, now outstanding in the principal amount of Two Million Nine Thousand Dollars ($2,965,000), issued under date of December 1, 1968, pursuant to General Ordinance No. G2968, bearing interest at the rate of five and onehalf per cent (51/2%) and five and forty hundredths per cent (5.40%) per annum, depending on the maturities, and maturing over a period ending on January 1, 2000, all ranking on a parity herewith, and any bonds hereafter issued ranking on a parity therewith, are equally and ratably secured by and constitute a charge upon twentyseven per cent (27%) of the gross income and revenues of the municipally owned waterworks of the City, as the same now exists or may hereafter be improved or extended, which percentage of such income and revenues is to be deposited in a special account designated as the "Bond and Interest Redemption Account". The City shall not be obligated to pay said bonds or the interest thereon except from said special fund, and neigher this bond nor the issue of which it is a part shall in any respect constitute a corporate indebtedness of the City within the provision and limitions of the constitution of the State of Indiana.

The bonds of this issue maturing on January 1, 1990, and thereafter, are redeemable at the option of the City, in whole or in part, in inverse chronological order of maturity and by lot within a maturity, on July 1, 1989, or any interest payment date thereafter, at face value, together with the following premiums:

3% if redeemed on July 1, 1989, or thereafter
on or before January 1, 1991;
2% if redeemed on July 1, 1993, or thereafter
on or before January 1, 1996;
1% if redeemed on July 1, 1996, or thereafter
prior to maturity;

plus in each case accrued interest to the date fixed for redemption; provided notice of such redemption shall be given at least thirty (30) days prior to the date fixed therefor by one publication in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a financial journal of general circulation published in the City of New York, New York, and a like notice be sent

by mail to the holders of such bonds as are then registered. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if sufficient funds are available at the place of redemption to redeem the bonds when presented in accordance with the terms thereof. The bonds so redeemed prior to maturity shall be surrendered for cancellation, together with all unmatured interest coupons appurtenant thereto.

The City convenants that it will, to the fullest extent permitted by law, fix maintain and collect an aggregate of rates and charges for the services rendered by the City's waterworks system which will be sufficient to pay all costs of operation and maintenance of said system, to provide a proper and adequate depreciation account, and to create and maintain the sinking fund required for the payment of the interest on and principal of this issue of bonds and all other bonds payable from the revenues of the City's waterworks system, in accordance with the terms thereof, and that it will in all other respects faithfully comply with all other provisions of the ordinance and statute pursuant to which this bond is issued. In the event the City shall make any default in the payment of the principal of or interest on this bond, the holder hereof shall have all of the rights and remedies provided by the governing statutes, including the right to compel the collection of sufficient rates and charges to provide for the payment of this bond and the interest thereon in accordance with the terms hereof.

This bond may be registered in the name of the owner in the manner and with the effect provided in the ordinance hereinbefore referred to, but unless registered this bond shall pass by delivery only. The registration of this bond shall not affect the negotiability of the interest coupons attached thereto, but said coupons shall continue to pass by delivery merely and shall remain payable to bearer.

It is hereby certified and recited that all acts, conditions and things required to be done or to exist precedent to and in the execution, issuance and delivery of this bond have been done and performed and exist in regular and due form as provided by law.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by the facsimile signature of its duly elected, qualified and acting Mayor, countersigned by the facsimile signature of its duly appointed City Controller, its corporate seal to be hereunto affixed and attested by the manual signature of its duly elected, qualified and acting City Clerk, and the interest coupons attached hereto to be executed by placing thereon the facsimile signatures of said Mayor and City Controller, all of the first day of _____, 1978.

CITY OF FORT WAYNE

By_____(facsimile)
Mayor

Countersigned:

_____(facsimile)
City Controller

Attest: _____ City Clerk

(Interest Coupon)

Coupon No._____ $_____

On _____1, 19_____

(unless the bond herein mentioned shall be subject to and shall have been called for previous redemption), the City of Fort Wayne, Indiana, will pay to bearer at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the American National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or the Manufacturers Hanover Trust Company, in the Borough of Manhattan, City and State of New York, out of its waterworks Bond and Interest Redemption Account, the amount shown hereon, in lawful money of the United State of America being the interest then due on its Waterworks Revenue Bond of 1978, dated _____ 1, 1978, No._____.

CITY OF FORT WAYNE

By_____(facsimile)
Mayor

_____(facsimile)
City Controller

REGISTRATION ENDORSEMENT

This bond can be registered only at the office of the City Controller of the City of Fort Wayne, Indiana. No writing hereon except by the City Controller.

DAte of Registry	In Whose Name Registered	City Controller
_____	_____	_____

SECTION 7. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the coupons to be attached thereto in the form and manner hereinbefore provided. The City Controller shall sell said bonds at public sale. Prior to the sale of the bonds, the City Controller shall cause to be published a notice of sale once each for two weeks in the Fort Wayne Journal Gazette and the Fort Wayne NewsSentinel, published in the City of Fort Wayne. The City Controller shall be authorized to publish said notice or a summary thereof in The Indianapolis Commercial, published in the City of Indianapolis, Indiana, and in the Bond Buyer, published in the City and State of New York. The City Controller shall be authorized to make such additional publication as he shall deem advisable. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. The bond sale notice shall state the time and place of sale, the total amount of bonds, the maximum rate of interest thereon, the maturities thereof, the purpose for which the bonds are being issued, the terms and conditions upon which bids will be received and the sale made, and shall set out such other information as the City Controller, acting on the advice of the City Attorney and bond counsel, shall deem necessary. All bids for said bonds shall be sealed and shall be presented to the City Controller at his office. Bidders shall be required to bid for all of the bonds and to name the rate or rates of interest which the bonds are to bear, not exceeding the maximum rate hereinbefore fixed. Such interest rate or rates shall be in multiples of oneeight (1/8) or onetenth (1/10) of one per cent (1%), and not more than four (4) different interest rates shall be named by each bidder. A rate may be repeated without constituting a different rate. Bids specifying two or more interest rates shall also specify the amount and maturities of the bonds bearing each rate, but all bonds maturing on the same date shall bear the same rate. Each bid shall be accompanied by a certified or cashier's check, payable to the City of Fort Wayne, in the amount of One Hundred Thousand Dollars ($100,000), as a guarantee of good faith. In the event the successful bidder shall fail or refuse to accept delivery of said bonds in accordance with his bid and the notice of sale, then said check and the proceeds thereof shall be the property of the City as its agreed liquidated damages. The City Controller shall award the bonds to the highest qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including interest accrued to the date of delivery, shall be considered. The City Controller shall have the right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the City Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days without readvertisment; provided, however that if said sale be continued, no bid shall be accepted which is lower than the highest bid received at the time fixed for said sale in the bond sale notice. Prior to the delivery of said bonds the City Controller shall obtain a legal opinion as to the validity of the bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, acting as bond counsel for the City, and shall furnish such opinion to the purchaser of the bonds. The fee of such bond counsel and all other incidental expenses incurred in connection with the issuance of the bonds authorized by this ordinance shall be paid out of the proceeds of said bonds.

Section 8. In the event it shall be hereafter determined that it is not necessary to issue all of the bonds authorized by this ordinance, or the Public Service Commission shall not approve the issuance of said total amount of bonds, the City Controller shall be authorized to sell and deliver a lesser amount of bonds than herein authorized, in which case the bonds not sold or delivered shall be of the last maturity or maturities.

The bonds herein authorized, when fully paid for and delivered to the purchaser, shall be the binding and special obligations of the City, payable out of the income and revenues of the waterworks system of said City according to their tenor and effect, and the proceeds derived from the sale of said bonds shall be and are hereby set aside for the purpose of paying the cost of construction and installation of the aforesaid extensions and additions to said waterworks and the expense necessarily incurred in connection with the issuance and sale of the bonds. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do all acts and things which may be necessary to carry out the provisions of this ordinance.

Section 9. Any accrued interest and any premium received at the time of the delivery of the bonds shall be deposited in the Bond and Interest Redemption Account hereinbefore referred to. The remaining proceeds from the sale of the bonds shall, upon receipt, be deposited in a bank or banks which are legally designated and qualified depositories for the funds of the City,in a special account or accounts to be designated as "City of Fort Wayne, 1978 Waterworks Construction Account". The funds in each of such special accounts shall be deposited, secured, and held or invested as provided by the laws of the State of Indiana relating to the depositing, securing and holding, or investing of public funds. The funds in such special account or accounts and any income derived from the investment thereof shall be expended only for the purpose of paying the cost of the extensions and additions to said waterworks as herein authorized, the incidental expenses incurred in connection therewith and with the issuance of bonds, including legal fees, and for the payment of interest accruing on the bonds during the period of construction, if required for the purpose. Any balance or balances remaining unexpended in such special account or accounts after the completion of the work, which are not required to meet unpaid obligations incurred in connection with the construction of the work shall be deposited in the Bond and Interest Redemption Account within sixty (60) days after completion of the project.

Section 10. The City shall keep proper books of records and accounts, separate from all of

its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from said waterworks and deposited in the special accounts hereinbefore established and all disbursements made therefrom and all transactions relating to said waterworks. There shall be prepared and furnished to the original purchaser of the bonds, and, upon written request, to any holder of the bonds, not more than sixty (60) days after the close of each annual fiscal period, operating and income statements and balance sheets of the waterworks, in reasonable detail, covering such annual fiscal period, together with a statement of the balances as of close of such fiscal year in each of the accounts hereinbefore referred to in this ordinance, which statements shall be prepared by an independent certified public accountant. Such annual statements shall also include the comments of said acountant relative to the manner in which the City has carried out the requirements of this ordinance and any other ordinances authorizing then outstanding bonds. The fees or charges of such accountant shall be deemed to be a cost of operation and maintenance of the waterworks. Copies of all such statements and reports shall at all times be kept on file in the office of the City Controller. Any holder of the bonds shall have the right at all reasonable times to inspect the waterworks and the records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

Section 11. The City shall, to the fullest extent permitted by law, establish, maintain and collect reasonable and just rates and charges for the services and facilities afforded by said waterworks which will provide revenues at least sufficient to pay the reasonable and proper cost of the maintenance and operation of the waterworks, to provide a proper and reasonable depreciation account, and to pay the principal of and interest on all bonds payable from the revenues of the waterworks as the same become due, and provide a surplus or margin of ten per cent (10%) of the principal and interest due each year, which shall be cumulative. So long as any of the bonds herein authorized are outstanding, none of the facilities and services afforded by said waterworks shall be furnished without a reasonable and just charge being made therefor. The reasonable value of any service rendered to the City, or to any department, agency or instrumentality thereof, including the use of water for hydrants for fire protection or for any other purpose, shall be charged against the City and shall be paid for as the charges accrue, and the revenues so received shall be deemed to be revenues derived from the operation of the waterworks and shall be used and accounted for in the same manner as other revenues derived from the operation of the waterworks.

Section 12. The City reserves the right to authorize and issue additional bonds, payable out of the revenues of the waterworks, ranking on a parity with the bonds authorized by this ordinance, for the purpose of financing the cost of future construction, additions, extensions and improvements to the waterworks, or the refunding of bonds payable from the revenues of the waterworks, subject to the following conditions:

(a) The interest on and principal of all bonds payable from the revenues of the waterworks shall have been paid to date in accordance with the terms thereof, and all required payments into the Bond and Interest Redemption Account have been made in accordance with the provisions of this ordinance.

(b) (1) The amount of gross revenues of the waterworks allocated by Section 3 (c) of this ordinance to and deposited in the Bond and Interest REdemption Account in the calendar year immediately preceding the issuance of any such additional parity bonds shall be not less than one hundred twenty-five per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued, during the life of said outstanding bonds; or

(2) Prior to the issuance of said parity bonds the proportion of the gross revenues allocated to said Bond and Interest Redemption Account shall be increased sufficiently so that said increased proportion applied to the previous calendar year's gross revenues would have produced revenues in said Bond and Interest Redemption Account for said year equal to not less than one hundred twentyfive per cent (125%) of the maximum annual intrest and principal requirements of the ten outstandig bonds and the additional parity bonds proposed to be issued, during the life of said outstanding bonds; or

(3) Prior to the issuance of said parity bonds, the water rates and charges shall be increased sufficiently and the proportion of gross revenues allocated to said Bond and Interest Redemption Account increased sufficiently so that said increased water rates and charges applied to the previous calendar year's operations would have produced gross revenues in an amount so that the proportion allocated to said Bond and Interest Redemption Account for said year would have equaled not less than one hundred twentyfive per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued, during the life of said outstanding bonds.

For the purposes of this subsection, the records of the waterworks shall be analyzed and all showings shall be prepared by an independent certified public accountant employed by the City for that purpose, which accountant shall certify that he has no pecuniary interest in the financing of the waterworks or improvements thereto other than in the making of said analysis and the preparation of said showings.

(c) The principal of the additional parity bonds shall be payable annually on January 1 and the interest semiannually on January 1 and July 1 in the years in which principal and interest are

payable.

(d) To the extent required by law, the issuance of the proposed additional parity bonds and any necessary increase in water rates and charges shall have been approved by the Public Service Commission of Indiana, or such successor body, if any, as may be vested by law with authority to approve the issuance of bonds payable from the revenues of municipal waterworks and increases in rates and charges for the services afforded thereby.

Parity bonds may also be issued to refund less than all of the then outstanding bonds issued pursuant to this ordinance or ranking on a parity therewith, but any such refunding bonds shall be subject to the conditions in this section unless the bonds being refunded mature with three (3) months of the date of such refunding and no other funds are available to pay such maturing bonds. In computing the maximum annual interest and principal requirements pursuant to subsection (b), the interest on and principal of the refunding bonds shall be substituted for the interest on and principal of the bonds being refunded.

Section 13. For the purpose of further safeguarding the interests of the holders of the bonds, it is specifically provided as follows:

(a) All construction contracts shall be let to responsible contractors who shall be required to furnish construction bonds in an amount equal to one hundred per cent (100%) of the amount of such contracts, to insure the completion of such contracts in accordance with their terms, and such contractors shall be required to carry such employer's liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts.

(b) The extensions and additions shall be contracted for and constructed to the approval of the McNamee, Porter and Seeley, consulting engineers of Ann Arbor, Michigan, now employed by the City, or such other consulting engineers as may be hereafter employeed by the City. All estimates for work done and material furnished shall first be checked by the consulting engineers before being approved by the City.

(c) The City shall, at all times, maintain said waterworks in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the bonds herein authorized are outstanding, the City shall maintain insurance on the insurable parts of the waterworks of a kind and in an amount such as is usually carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business in the State of Indiana, and any insurance proceeds collected shall be used in replacing the property destroyed or damaged, or if not needed for that purpose, shall be placed in the Depreciation Account.

(e) So long as any of the bonds herein authorized are outstanding, the City shall not mortgage, pledge or otherwise encumber its waterworks or any part thereof, and shall not sell, lease or otherwise dispose of any portion thereof except such equipment which may become worn out or obsolete, and shall be replaced; nor shall the City, except as provided in Section 12 hereof, execute or issue any additional bonds or other obligations pledging any portion of the revenues of said waterworks unless the same be made subordinate and junior in all respects to the bonds heretofore issued and the bonds herein authorized, or unless all of the bonds herein authorized are redeemed and cancelled coincidentally with the delivery of such additional bonds or other obligations, or the bonds have been duly called for redemption and funds sufficient to effect such redemption are available and set aside at the place of redemption at the time of issuance of such additional bonds.

(f) The provisions of this ordinance shall be construed to create a trust in the proceeds derived from the sale of the bonds herein authorized, for the uses and purposes herein set forth, and so long as any of said bonds are outstanding, the provisions of this ordinance shall also be construed to create a trust in the fixed proportion of the revenues of the waterworks herein directed to be set apart and paid into the Bond and Interest Redemption Account for the uses and purposes of said account as in this ordinance set forth.

(g) The provisions of this ordinance shall constitute a contract by and between the City of Fort Wayne and the holders of the bonds herein authorized, all of the terms of which shall be enforceable in law or in equity, and after the issuance of the bonds this ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interests of the holders of said bonds, nor shall the Common Council of the City adopt any law, ordinance or resolution in any way adversely affecting the rights of such holders so long as any of the bonds or the interest thereof remain unpaid. The holders of the bonds shall have all of the rights, remedies and privileges, either expressly set forth in the provisions of IC 1971, 19317, and the laws amendatory thereof and supplemental thereto, or implied therein, including the right to compel the collection of sufficient rates and charges to provide for the payment of the bonds issued hereunder and the interest thereon.

(h) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the City derived from any sources other than the proceeds of said bonds and the revenues derived from the operation of said waterworks system, and said bonds shall not in any respect constitute general obligations of the City in its corporate capacity. Sums paid and to be paid by the City to its

waterworks as hydrant rental and for water furnished shall be deemed to be payments by the City of services rendered. The revenues so received by the waterworks shall be deemed revenues derived from the operation of the waterworks.

Section 14. Subject to the terms and provisions contained in this section, and not otherwise, the holders of not less than sixtysix and twothirds per cent (662/3%) in aggregate principal amount of the bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Common Council of the City of Fort Wayne of such ordinance or ordinances supplemental hereto, as shall be deemed necessary or desirable by the City of Fort Wayne for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any bond or bonds issued pursuant to this ordinance over any other bond or bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance.

The holders of not less than sixtysix and twothirds per cent (662/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the City Clerk of the City of Fort Wayne. No holder of any bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Common Council of the City of Fort Wayne from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended accordance therewith, and the respective rights, duties and obligations under this ordinance of the City of Fort Wayne and all holders of bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the City and of the holders of the bonds authorized by this ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City of Fort Wayne and the consent of the holders of all the bonds issued pursuant to this ordinanc then outstanding.

Section 15. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that none of the provisions of this ordinance shall be so construed as to repeal or modify the provisions of General Ordinance No. G9567, as amended by General Ordinances No. G104-67 and No. G11067 and General Ordinance No. G2968, so as to affect adversely the rights, interests or priorities of the holders of the outstanding revenue bonds issued pursuant to said ordinances.

Section 16. This ordinance shall be in full force and effect from and after its passage.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-26-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-28

GENERAL ORDINANCE NO. -G-27-78

AN ORDINANCE amending General Ordinance No. G-09-76 establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, and repealing all ordinances or parts of ordinances in conflict therewith

WHEREAS, the Common Council of the City of Fort Wayne has authorized the making of extensions and additions to the existing waterworks system of said City for the purpose of providing an adequate water supply of desirable quality and at proper pressure to the users of the City's waterworks and properly protecting the health, wellbeing and property of said City and its inhabitants and water users; and

WHEREAS, in order to procure the necessary funds to pay the cost of construction and installation of said extensions and additions, it is necessary for the City to issue and sell waterworks revenue bonds payable solely out of the revenues of said waterworks system, which revenues under the existing schedule of rates and charges are insufficient to enable the City to finance the needed extensions and additions; and

WHEREAS, the Common Council now finds that the existing rates and charges for the use of and service rendered by the waterworks of said City are too low and are insufficient to enable the City to properly operate its waterworks plant, provide for depreciation, and finance said extensions and additions; that the proposed extensions and additions will improve the service rendered by said waterworks system and make the same of greater value to the City, its inhabitants and water users, and that the existing rates and charges should be increased; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Section 1 of the General Ordinance No. 0976, entitled "An Ordinance establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, and repealing all ordinances or parts of ordinances in conflict therewith", adopted March 9, 1976, be and the same is hereby amended to read as follows: Section 1. That there shall be and hereby are established for the use of and the service rendered by the waterworks system of the City of Fort Wayne the following rates and charges based on the use of water supplied by said waterworks system:

(a) Metered Rates Per Month

		100 Cubic Feet
First	500 cubic feet	$ .912
Next	2,500 cubic feet	.587
Next	7,500 cubic feet	.541
Next	18,000 cubic feet	.464
Next	20,000 cubic feet	.394
Next	50,000 cubic feet	.348
Next	50,000 cubic feet	.278
Over	150,000 cubic feet	.255

(b) Minimum Charges

Each user shall pay a minimum monthly charge based on the size of meter installed, for which the user will be entitled to the quantity of water set out in the metered schedule of rates.

Size of Meter		Per Month
5/8	inch	4.56
3/4	inch	7.11
1	inch	11.59
1-1/2	inch	23.11
2	inch	35.55
3	inch	71.11
4	inch	118.33
6	inch	224.84
8	inch	328.80
10	inch	493.11

(c) Municipal Service to the City of Fort Wayne

For each fire hydrant - per annum $151.49

(d) Private Fire Protection Service

Per annum	- Fire Hydrant	$151.49
	2 inch	27.51
	3 inch	62.88
	4 inch	112.66
	6 inch	255.45
	8 inch	453.26
	10 inch	707.40
	12 inch	$1,020.49
	16 inch	$1,813.04

(e) All Charges for service to customers situated outside the corporate limits of the City of Fort Wayne having availability for all of the foregoing traiffs shall be one hundred thirty-five per cent (135%) of the charges computed by application of the foregoing tariffs.

(f) Collection or Deferred Payment Charge

All bills for water services not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of 10% on the first $3.00 and 3% on the excess over $3.00.

Section 2. Utility rates and regulations for water services shall be determined from time to time as the need may occur by the Board of Public Waorks of the City of Fort Wayne.

Section 3. All Ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Public Service Commission of Indiana, and until such time as the order of said Commission approving said new rates and charges shall direct.

Section 4. This Ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Public Service Commission of Indiana, or until such time as said Commission shall direct.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-26-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-27-78 on the 26th day of September, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of September, 1978, at the hour of 10:00 o'clock A.M.E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-31

SPECIAL ORDINANCE NO. S-169-78

AN ORDINANCE approving a contract between the City of Fort Wayne, Indiana and Dietrich Acoustic Co., for labor and materials for the Metropolitan Human Relations Commission

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 28, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Metropolitan Human Relations Commission, and Dietrich Acoustic Co., for:

labor and materials needed to rearrange partitions and install additional partitions in the Office of the Metropolitan Human Relations Commission

at a total cost of $5,736.00, all as more particularly set forth in said contract which is on file in the Office of the Metropolitan Human Relations Commission and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-169-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-32

SPECIAL ORDINANCE NO. S-170-78

AN ORDINANCE approving an Agreement to purchase Real Estate from James P. and Ruth M. Farrell for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated September 12, 1978, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and James P. and Ruth M. Farrell, for:

North 33' of the South 47' of Lot #3, J.T. Hann
as Sub Replat S. Hanna O. L. 11

for the total cost of $1,650.00, all as more particularly set forth in said Agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-170-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-33

SPECIAL ORDINANCE NO. S-171-78

AN ORDINANCE approving a certain bid document for purchase of firefighters clothing for Board of Public Safety's Fire Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 857, dated August 28, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Halterman's General Fire & Safety Equipment Company for firefighter's clothing, at a total cost of $10,879.82, all as more particularly set forth in said bid document Ref. No. 857 and Purchase Order No. 403030, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-171-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-34

SPECIAL ORDINANCE NO. S-172-78

AN ORDINANCE approving an Agreement between the County of Allen and the City of Fort Wayne, Indiana for the conveyance of Real Estate from the County of Allen to the City of Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement between the County of Allen, by its Board of Commissioners, the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works for the Real Estate described as follows, to wit:

P.A. Randall's Subdivision Block B, except the East 208 feet, Sec. 2, Township 30 N, Range 12 E (In Fort Wayne, Allen County, Indiana).

all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, and made a part hereof be, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-172-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-35

SPECIAL ORDINANCE NO. S-173-78

AN ORDINANCE approving an Agreement to Purchase Real Estate by Kim Wallace

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated September 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Kim Wallace, for:

the West 30 feet, lot 18 Hanna's Partition, Plat B, to the City of Fort Wayne, Allen County, Indiana,

for a gain to the City of $125.00, all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-173-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-36

SPECIAL ORDINANCE NO. S -174-78

AN ORDINANCE approving Change Order
Nos. G-3, M-1 and E-1 in connection with
the Humane Shelter

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Change Orders, numbered and listed below, to the following vendors, in connection with the Humane Shelter, for additional work to be done in the Kittens Room Number 6R and in the Kennel Room Number 1R for the amounts as hereafter set out in the specifications, are hereby in all things ratified, confirmed and approved, respectively, to wit:

CHANGE ORDER NO.	VENDOR	AMOUNT
G-3	Weigand Construction Co., Inc. (General Contractor)	$ 6,222.00
M-1	Shambaugh & Son, Inc. (Mechanical Contractor)	$ 5,389.00
E-1	Havel Brothers, Inc. (Electrical Contractor)	$ 390.00
	TOTAL	$12,001.00

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-174-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-37

SPECIAL ORDINANCE NO. S-175-78

AN ORDINANCE approving City Utilities Purchase ORder No. B-0287 with Allen County Motors, Inc. for a vehicle for the Technical Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Order No. B0287, dated September 18, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Allen County Motors, Inc., for:

one (1) 1979 Ford Bronco (2) two door, (4) four wheel drive vehicle for Technical Services Dept.

in the amount of $8,415.40, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-175-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-38

SPECIAL ORDINANCE NO. S-176-78

AN ORDINANCE approving Civil City Purchase Order Nos. 4-03057 with Ernst Truck Equipment, No. 4-03058 with Allen County Motors, Inc., and No. 4-03059 with Hite Equipment Repair, Inc. for equipment for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City Purchase Orders, numbered and listed below, dated September 1, 1978, between the City of Fort Wayne, by and through the Director of Purchasing and the Board of Public Works and the following vendors for the purchase of equipment for the Street Department in the amounts as hereafter set out, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

PO NUMBER	EQUIPMENT	VENDOR	AMOUNT
4-03057	Two 1977 Dump Bodies	Ernst Truck Equipment	$ 7,566.40
4-03058	Four 1979 Ford heavy duty dump trucks equipped with front mounted snow plows, spreader, crankshaft P.T.O. hydraulic system	Allen County Motors, Inc.	$160,281.32
4-03059	One 1978 UNI-MOG Model MB-494 case four wheel drive tractor with front "V" snow plow	Hite Equipment Repair, Inc.	$ 31,995.00
		TOTAL	$199,842.72

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D.Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-176-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-39

SPECIAL ORDINANCE NO. S-177-78

AN ORDINANCE approving Civil City
Purchase Order No. B4-03056 for supplies
for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. B403056, dated September 1, 1978, between the City of Fort Wayne, by and through the Director of Purchasing and the Board of Public Works and International Salt Company for:

9,000 tons of bulk rock salt, coarse, crushed sodium chlorite at $18.38 per ton for the Street Department

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-177-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-10-03

RESOLUTION NO. R-46-78

A RESOLUTION authorizing an appeal from the
budget and tax rates and levies fixed by
the Allen County Tax Adjustment Board

WHEREAS, the Allen County Tax Adjustment Board has reduced the budget of the City of Fort Wayne, Indiana in a manner contrary to the laws of the State of Indiana and in such way as to render it impossible to carry out the governmental functions and responsibilities committed to it by law.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the appropriate officers of said City are authorized and directed to take all steps necessary to present an appeal from the budget and tax rates and levies fixed by said Allen County Tax Adjustment Board to the Indiana State Board of Tax Commissioners with a view towards reinstatement of the tax rates and levies not exceeding the 1979 limit.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-46-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-10-24 (AS AMENDED)

RESOLUTION NO. R-47-78

A RESOLUTION COMMENDING ALL RESPONSIBLE PUBLIC OFFICIALS, NEWS MEDIA AND ALL CITIZENS INVOLVED IN THE SUCCESSFUL "STING" OPERATION

Heretofore on October 2, 1978 the culmination of a six (6) months investigation into burglary and fencing of stolen goods in the Fort Wayne area was brought to a successful conclusion by arrests and anticipation of additional arrests in burglary and theft cases being cleared as a result of warrants for arrest being served on the alleged culprits of crime involved in burglary and fencing of stolen goods;

The success of this operation was due to the cooperation between the Fort Wayne Police Department and its Detective Bureau, the Allen County Police and its Detective Bureau, the Indiana State Police and its Detective Bureau, the Federal Bureau of Investigation, the United States Postal Inspectors, the United States Secret Service Agency, the United States Army Office for the Northern District of Indiana, the Allen County Prosecutor's Office, the City Administration and the County Administration, the News Media and the various interested citizens and groups who assisted in funding with "Buy" money and the plan and coordination of the above working together in the interest of the Fort Wayne area.

THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL:

"That the Fort Wayne Police Department and its Detective Bureau, the Indiana State Police and its Detective Bureau, the Federal Bureau of Investigation, the United States Postal Inspectors, the United States Secret Service Agency, the United States Army Office for the Northern District of Indiana, the Allen County Prosecutor's Office, the City Administration and the County Administration, the News Media and the various interested citizens and groups who assisted in funding with "Buy" money be commended and thanked for their intelligent cooperation and efforts in the successful culmination of project "Sting"; and

"BE IT FURTHER RESOLVED: That the appropriate law inforcement agencies take whatever steps necessary in commending their officers and employees for this successful campaign to rid our community of crime."

And further that this campaign against crime be continued in the future.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-47-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-08-10

ZONING MAP ORDINANCE NO. Z-21-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. E-3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. E3, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 232 & 233, Country Club Terrace Addition, Section A,
more commonly known as 5812 Covington Road.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt,STier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-21-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-08-11

ZONING MAP ORDINANCE NO. Z-22-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Pfeiffer Place Addition Lots 87 thru 101, 119 thru 138, 171 thru 177, 180 thru 185 and 200 thru 214. Kitch 7th Addition Lots 28, 29, 30 and 31

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hunter, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-22-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-08-35

GENERAL ORDINANCE NO. G-28-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of a
certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

Maiden Lane North of Pearl Street and
South of the Norfolk & Western rail
tracks

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General ORdinance No. G-28-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-48

GENERAL ORDINANCE NO. G-29-78

AN ORDINANCE amending certain Sections
of Chapter 17 of the Code of the City
of Fort Wayne, Indiana of 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 3, Section 1746 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 3 the following:

ONE WAY STREET

STREET	DIRECTION	FROM	TO
Webster Street	northbound	Pontiac Street	Woodland Avenue

SECTION 2. That Schedule 7, Section 1790 of The Code of the City Of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 7 the following:

NO PARKING

STREET	SIDE	FROM	TO
New Haven Ave.	north	Lumbard Street	320 ft. west thereof
Casselwood Dr.	south	Hessen Cassel Rd.	Holgate Dr.
Bunt Drive	east	Paulding Road	Cheviot Drive
Barr Stret east		Superior Street	1250 ft. north thereof
Barr Street	west	370 ft. north/Duck St.	370 ft. north thereof
The south drive of Shoaff Park	south	main drive	50 ft. west of the entrance to Konklin Pavilion

SECTION 3. That Schedule 10, Section 1793 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by deleting from Schedule 10 the following:

ONE HOUR PARKING 8:00 A.M. to 6:00 P.M.

STREET	SIDE	FROM	TO
Barr Street	both	Washington Blvd.	Jefferson St.

SECTION 4. That Scheule 11, Section 1793 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 11 the following:

90 MINUTE PARKING 8:00 A.M. to 6:00 P.M.

STREET	SIDE	FROM	TO
Carew Street	both	State Blvd.	Dodge Avenue
Forest Avenue	north	Kensington Blvd.	135 ft. east thereof

SECTION 5. That Schedule 12, Section 1793 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 12 the following:

TWO HOUR PARKING 8:00 A.M. TO 6:00 P.M.

STREET	SIDE	FROM	TO
Barr Street	both	Washington Blvd.	Jefferson St.

SECTION 6. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmdit
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-29-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-41

SPECIAL ORDINANCE NO. S-178-78

AN ORDINANCE approving a contract for
Improvement Resolution No. 5811-1978,
between the City of Fort Wayne, Indiana
and Rieth-Riley Construction Company, Inc.
for sidewalk construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 11, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and RiethRiley Construction Company, Inc., for:

> construction of a sidewalk on the south side of Wallace Street from Lafayette Street east 202 feet; and on the east side of Lafayette Street from Wallace Street south 164 feet.

under Board of Public Works Improvement Resolution No. 58111978, at a total cost of $8,479.20, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talrico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-178-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-42

SPECIAL ORDINANCE NO. S-179-78

AN ORDINANCE approving a contract for
Sidewalk Improvement Resolution No. 5809-1978,
between the City of Fort Wayne, Indiana, and
Rieth-Riley Construction Company, Inc. for
construction of sidewalks

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 11, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and RiethRiley Construction Company, Inc., for:

construction of sidewalks in the HannaCreighton Impact
Area Phase II,

under Board of Public Works Sidewalk Improvement Resolution No. 58091978, at a total cost of $117,876.25, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-179-78 on the 10th day of October, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-43

SPECIAL ORDINANCE NO. S-180-78

AN ORDINANCE approving City Utilities Purchase Order No. B-0274 with IBM Corporation for lease of equipment for Data Processing Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Order No. B0274, dated September 15, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and IBM Corporation for the 24 month lease arrangement of the following:

13 IBM 3278 Model 2 CRT $63.00 each

3 IBM 3287 MOdel 1 Printers $152.00 each

1 IBM 3274 Model 1B Controller $444.00 each

all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-180-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-44

SPECIAL ORDINANCE NO. S-181-78

AN ORDINANCE approving Change Order No. 1, in connection with the Glenwood Park Lift Station Elimination, Sewer Resolution No. 295-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Nobis Construction, in connection with the Glenwood Park Lift Station elimination, Sewer Resolution No. 29577, for:

additional stone, mulch, rip rap, clay pipe and shell replacement (material necessary to reinforce ground which contains quicksand conditions).

in the amount of $4,560.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-45

SPECIAL ORDINANCE NO. S-182-78

AN ORDINANCE approving an Agreement
with North Eastern Investments, Inc., for
construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated September 6, 1978, between the City of Fort Wayne, Indiana by and through its Mayor and the Board of Public Works and North Eastern Investments, Inc., for:

DESCRIPTION OF SANITARY SEWER MAIN #1:

Commencing at an existing manhole located on the St. Joe Interceptor sanitary sewer approximately 45 feet north of the northeast corner of lot 24 Windrift Section I: thence south a distance of 50 feet to manhole number 1 at Station 0 plus 50, said manhole being located plus or minus 15 feet southwest of the northeast corner of lot number 24 within the plat of Windrift Section 1; thence continuing west a distance of 100 feet to manhole number 2 at Station 1 plus 50, said manhole being located plus or minus 5 feet south of the northwest property corner of lot 24; thence continuing south along

the east rightofway line of Grand River Drive a distance of 340 feet to manhole number 3 at Station 4 plus 90, said manhole being located plus or minus 15 feet east of the southwest property corner of lot 21; thence continuing southwesterly a distance of 215 feet to manhole number 4 at Station 7 plus 05, said manhole being located at the southwest property corner of lot number 20; thence continuing westerly along the south rightofway line of Windrift Lane a distance of 410 feet to manhole number 5 at Station 11 plus 15, said manhole being located plus or minus 50 feet west of the northeast property corner of lot 63; thence continuing westerly a distance of 165 feet to manhole number 6 at Station 12 plus 80, said manhole being located approximately 50 feet west of the northeast property corner of lot 15; thence continuing westerly a distance of 135 feet to manhole number 7 at Station 14 plus 15, said manhole being located plus or minus 10 feet southeast of the northwest property corner of lot 49; thence continuing westerly a distance of 240 feet to manhole number 8 at Station 16 plus 55, said manhole being located at the northeast property corner of lot 1; thence continuing south a distance of 125 feet to a cleanout at Station 17 plus 80, said cleanout being located plus or minus 5 feet north of the southeast property corner of lot 1. The aforementioned cleanout terminates the description of Sanitary Sewer Main #1

DESCRIPTION OF SANITARY SEWER MAIN #2:

Commencing at the abovereferenced manhole number 4 located at the southwest property corner of lot 20 Windrift Section 1: thence continuing southeasterly along the east rightofway line of Grand River Drive a distance of 150 feet to manhole number 9 at Station 1 plus 50, said manhole being located plus or minus 20 feet east of the northwest property corner of lot 18; thence continuing south a distance of 260 feet to manhole number 10 at Station 4 plus 10, said manhole being located plus or minus 25 feet east of the westerly front property corner of lot 15; thence continuing west along the south rightofway line of Glen Eagle Land a distance 345 feet to manhole number 11 at Station 7 plus 55, said manhole being located plus or minus 5 feet west of the northeast property corner of lot 10; thence continuing west a distance of 335 feet to manhole number 12 at Station 10 plus 90, said manhole being located plus or minus 5 feet west of the northeast property corner of lot 6. Said manhole 12 terminates the description of Sanitary Sewer Main #2.

DESCRIPTION OF SANITARY SEWER LATERAL # 1:

Commencing at the abovereferenced manhole number 5 located plus or minus 50 feet west of the northeast corner of Lot 63 Windrift Section 1; thence northerly along the east rightofway line of North Star Place a distance of 400 feet to manhole number 5-A at Station 4 plus00. said manhole being located at the southwest property corner of lot 36; thence continuing northerly a distance of 50 feet to a cleanout at Station 4 plus 50, said manhole being located plus or minus 5 feet west of the southeast property corner of lot 37. Said cleanout terminates the description of Sanitary Sewer Lateral #1.

DESCRIPTION OF SANITARY SEWER LATERAL #2:

Commencing at the aforereferenced manhole number 7 located plus or minus 10 feet southeast of the northwest corner of lot 49; thence continuing southerly along the east rightofway line of Glen Eagle Lane a distance of 140 feet to a cleanout at Station 1 plus 40, said cleanout being located plus or minus 20 feet southeast of the southwest property corner of lot 50 and terminating the description for Sanitary Sewer Lateral #2

DESCRIPTION OF SANITARY SEWER LATERAL #3:

Commencing at the abovereferenced manhole number 7 located plus or minus 10 feet southeast of the northwest property corner of lot 49; thence continuing northwesterly within an easement between lots 45 and 46 to a cleanout at Station 1 plus 70, being located at the northeast property corner of lot 46. Said cleanout terminates the description of Sanitary Sewer Lateral #3.

DESCRIPTION OF SANITARY SEWER LATERAL #4:

Commencing at an existing manhole located on the St. Joe interceptor sanitary sewer, said manhole being located plus or minus 20 feet southeast of the northwest property corner of lot 38 within Windrift Section 1; thence continuing southerly a distance of 195 feet to a cleanout at Station 1 plus 95, said cleanout being located plus or minus 5 feet east of the southwest property corner of lot 39. Said cleanout terminates the description of Sanitary Sewer Lateral #4.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as

more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-182-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-09-46

SPECIAL ORDINANCE NO. S-183-78

AN ORDINANCE approving a contract for
Street Light Improvement Resolution
No. 130-1978, between the City of Fort
Wayne, Indiana and N. G. Gilbert, Inc.
for installation of street lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated September 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and N. G. Gilbert, Inc., for:

installation of ornamental street lighting in Northwest
Central Neighborhood, Phase II,

under Board of Public Works Street Light Improvement Resolution No. 1301978, at a total cost of $28,645.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-10-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-183-78 on the 10th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of October, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-01

SPECIAL ORDINANCE NO. S-184-78

AN ORDINANCE approving Civil City Purchase Order No. 4-03150 with Allen County Motors for a vehicle for the Street Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 403150, dated September 19, 1978, between the City of Fort Wayne, by and through the Director of Purchasing and the Board of Public Works and Allen County Motors, for:

One 1979 Four Door Ford Sedan, Model LTD IIS, for use by the Street Engineering Department

at a cost of $5,487.80, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-184-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-02

SPECIAL ORDINANCE NO. S-185-78

AN ORDINANCE approving bid document Ref. Nos. 845, 846, 849, 850 and 851 for purchase of various radios for the Board of Public Safety

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Bid Documents, numbered, dated and listed below, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and the following vendors for the purchase of various radios for various departments, all as more particularly set forth in said Bid Document and Purchase Orders listed below, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved, respectively, to wit:

DATE	BID REF. NO.	P.O. NO.	ITEM	VENDOR
7-26-78	845)	4-03223 G	UHF Radios and accessories	Motorola, Inc.
7-26-78	845)	4-03204 G	UHF Radios and accessories	Parkerson Electronics
7-26-78	846	4-03205 G	VHF Radios and accessories	General Electric Co.
8-08-78	849))	4-03206 G	Police Radios and accessories	Parkerson Electronics
8-08-78	849)	4-03207 G	Police Radios and accessories	Motorola, Inc.
8-08-78	850	4-03208 G	VHF Mobile Radios and accessories	General Electric Co.
8-08-78	851	4-03209 G	UFH Mobile Radios and accessories	Motorla, Inc.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-185-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-04

SPECIAL ORDINANCE NO. S-186-78

AN ORDINANCE approving an agreement between the City of Fort Wayne and R. L. Polk & Company, to compile an Urban Statistical Information Package

WHEREAS, the R. L. Polk & Company has a source of statistical data obtained from two of its City Directory Canvasses for a geographic area consisting of the City of Fort Wayne, Indiana completed on September 26, 1976 and September 24, 1977 and the capability of compiling said statistical date by census tract using an address coding guide, and

WHEREAS, the foregoing has enabled the R. L. Polk & Company to develop and produce an urban statistical information package entitle PROFILES OF CHANGE consisting of statistical table, maps and smallarea profiles, and

WHEREAS, the City wishes to acquire the services of R. L. Polk & Company in producing this package.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Council does hereby approve an agreement between the City of Fort Wayne, Indiana, by and through its Mayor and the Community Development and Planning Department and R. L. Polk and Company, for the statistical information package, all as more particularly set forth in said agreement which is on file in the Office of the Community Development and Planning Department and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved

SECTION 2. This Ordinance shall be in full force and effect from after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-186-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.

Robert E. Armstrong
Mayor

BILL NO. R-78-10-28

RESOLUTION NO. R-48-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. vehicle, 1976 Plymouth, 2 door sedan License Plate #11117 MO	$153.10	Northway Chrysler Plymouth
2)	Police Dept. unit No. 122, 1976 Ford, 4 door sedan License Plate #2E9992	$154.95	Allen County Motors
3)	Police Dept. unit No. 1, 1977 Plymouth 4 door sedan License Plate MO11101	$121.10	Allen County Motors
	Total	$429.15	

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-48-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-10-29 (AS AMENDED)

RESOLUTION NO. R-49-78

A RESOLUTION approving Application for
Program Reservation and Preliminary Loan
for Low-Rent Public Housing

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living evnironment for all of its citizens; and

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, the United States of America, acting through the Secretary of Housing and Urban Development (herein called the "Government"), is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of lowrent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for lowrent housing to meet needs which cannot be met by private enterprise and that the Government shall not make any contract with a public housing agency for preliminary loans for surveys and planning in respect to any lowrent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such reservation and preliminary loan; and

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana (herein called the "Local Authority") is a public housing agency and is applying to the Government for a program reservation and preliminary loan to cover the costs of surveys and planning in connection with the development of low-rent housing;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there exists in the City of Fort Wayne, Indiana a need for such lowrent housing which cannot be met by private enterprise.

SECTION 2. That the application of the Local Authority to the Government for a program reservation and preliminary loan in an amount not to exeed $37,500.00 for surveys and planning in connection with the construction of seventyfive (75) new dwelling units is hereby approved.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Moses

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-49-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-08-09

ZONING MAP ORDINANCE NO. Z-23-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. S-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. S14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as 5 separate tracts on exhibits, as follows:

Exhibit A Swift

Five (5) acres in the East onehalf of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, being more particularly described as follows, to wit:

Beginning at a point on the North line of the East one-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County Indiana, said point being located 457 feet West of the Northeast corner of the said East one-half of the Southeast Quarter of said Section 32, Township 31 North, Range 13 East; thence South 0 degrees 10 minutes West, a distance of 962.5 feet; thence West, a distance of 226.28 feet; thence North 0 degrees 10 minutes East, a distance of 962.5 feet to the aforementioned North line of the East onehalf of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East one-half of the Southeast Quarter of said Section 32, a distance of 226.28 feet to the place of beginning; containing 5 acres of land more or less;

EXCEPT the North 40 feet thereof appropriated for widening of State Street under Declaratory Resolution Number 12951970;

ALSO EXCEPT the part thereof dedicated for widening of State Street by instrument recorded as Document No. 7615170.

Exhibit B Cuttitta

The West 90.50 feet of the East 457.0 feet of the North 481.25 feet of the East 1/2 of the Southeast 1/4 of Section 32, Township 31 North, Range 13 East in Allen County, Indiana.

Exhibit C - Brockman

100 acre of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, the said point being situated 185.5 feet West of the Northeast corner of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence West a distance of 90.5 feet; thence North 10 minutes East a distance of 485.1 feet to the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East a distance of 90.5 feet to the place of beginning.

Exhibit D Brockman

One acre of land in the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows: Beginning at a point on the North line of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, the said point being situated 276 feet West of the North east corner of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West, a distance of 485.1 feet; thence West, a distance of 90.55 feet thence North 10 minutes East, a distance of 485.1 feet to the North line of the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the point of beginning, containing one acre of land, more or less, known as 4628 E. State Blvd., Fort Wayne, Indiana.

Exhibit E Dauherty

1.08 acres of land in the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to wit:

Beginning at the Northeast corner of the East half of the southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana; thence South 10 minutes West along east line of the said

east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 485.1 feet; thence west a distance of 95.0 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the said east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence east along the said north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 95.0 feet to the place of beginning, containing 1.08 acres of land, more or less.

1.00 acre of land in the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, described as follows, to wit:

Beginning at a point on the north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, the said point being situated 95.0 feet west of the northeast corner of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence west a distance of 90.5 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence East along the said north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning, containing 1.00 acre of land, more or less.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by HInga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-23-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-08-34

ZONING MAP ORDINANCE NO. Z-24-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-27

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N27, referred to therein, established by Section 3311, of said Chapter are hereby change accordingly, to wit:

Lot 75 and Lot 76, Home Gardens Addition to the City of Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passagee, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-24-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-09-12

ZONING MAP ORDINANCE NO. Z-25-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974,; and the symbols of the City of Fort Wayne Zoning Map No. M34, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

The South 217.8 feet of the North 927.8 feet of the East 300 feet of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, in Allen County, Indiana. (A parcel 217.8 feet wide and 300 feet deep on Coldwater Road immediately South of the Northcrest Shell and Hall's Realty Corp. parcels1 1/2 acres of Rodenbeck farm)

SECTION 2. That this Ordinance shall be in full force and effect from and fter its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-25-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-09-13

ZONING MAP ORDINANCE NO. Z-26-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L34, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of the West OneHalf of the Northwest Quarter of Section 23, Township 31 North, Range 12 East, lying North of Interstate Highway No. 69, situated in Allen County, Indiana, as by metes and bounds described as follows to wit:

To arrive at the place of beginning, commence at the Northwest corner of the Northwest Quarter of said Section 23; thence running East along the North line of said Quarter Section, a distance of 1065.0 feet to the aforesaid place of beginning; thence continuing East on the line aforesaid, a distance of 175.0 feet; thence South by a deflection right of 89 degrees 15 minutes on a line parallel to and 80.0 feet West of the East line of the West OneHalf of said Quarter Section, a distance of 283.5 feet to the Northerly rightofway line of Interstate Highway No. 69 as presently established by Project 4 (3) 1091959, said point being situated 120 feet normally distant Northwesterly of said Highway centerline; thence Southwesterly along said Highway rightofway line by a deflection right of 61 degrees 02 minutes and parallel to said Highway centerline, a distance of 30.8 feet to a point of curve at Plan Station 544 + 37.30; thence continuing Southwesterly on a line 120 feet radially distant Northwesterly and introsely concentric to Line "A", 1 degree 00 minutes circular curve to the right, a distance of 168 feet, more or less, to a point situated 255 feet West of the East line of the West OneHalf of said Quarter Section; thence North on a line parallel to the East line of the West OneHalf of said Quarter Section, a distance of 375 feet, more or less, to the point of beginning containing 1.32 Acres, more or less.

SUBJECT TO 25 feet off the North border thereof as occupied by the Washington Center Road.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols. D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-26-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-10

SPECIAL ORDINANCE NO. S-187-78

AN ORDINANCE approving Change Order No. 1
in connection with Nebraska Phase III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Hipskind Asphalt Corporation in connection with Nebraska Phase III, for:

> additional sidewalk, curb and wingwalks with ramps, and driveways constructed in conjunction with Nebraska Area Recreational Center, which is under construction,

in the amount of $5,541.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-187-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-11

SPECIAL ORDINANCE NO. S-188-78

AN ORDINANCE approving City Utilities Purchase Order No. 0301 with Treaty Company for materials for the Water Pollution Control Engineering Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0301, dated September 22, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Treaty Company, for:

> River Crossing Pipe to be used in completion of the St. Joe & Rothman Roads Sanitary Sewer Project, for which it was discovered there was an error in computing the necessary pipe for said project, by the WPC Engineering Dept., the Dept. responsible for said project and its completion,

at a cost of $34,694.05, all as more particularly set forth in said Purchase Order which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-188-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-12

SPECIAL ORDINANCE NO. S-189-78

AN ORDINANCE approving an Agreement with Allen Corporation, for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated September 25, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Allen Corporation, for:

Sanitary Sewer

Beginning at a proposed manhole over the existing 27" St. Joe Sanitary Interceptor 100 ± L.F. west of manhole #29 of Resolution 271, thence northwesterly 120 ± L.F. to the north line of 51.12 acre tract now or formerly owned by Richard and Marion Hill 880 ± L.F. east of the west line of the East 1/2 of Section 1, 131N, R12E, thence continuing northerly 330 ± L.F. thru an 80 ± acre property now or formerly owned by Victor R. and Naomi C. Leininger, thence by deflection angle right of 18° 30' a distance of 423 ± L.F. thence by deflection angle left of 49° 00' a distance of 402 ± L.F., thence by deflection angle right of 25° 30' a distance of 282 ± L.F. to the north line of said Leininger property and 665 ± L.F. east of the west line of the east 1/2 section Section 1, 131N, R12E, thence north 17° 43' east a distance of 465 ± L.F., thence north 29° 32' west, a distance of 185 ± L.F., thence north 74° 20' west a distance of 297 ± L.F., thence north 33° 55' west a distance of 441 ± L.F., thence west a distance of 267 ± L.F., thence north a distance of 155 ± L.F. to the existing 8" sanitary sewer outfall of Pine Valley Village Mall located 940 ± L.F. south of and 755 ± L.F. east of the centerline intersections of Dupont Road and Coldwater Road,

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-189-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-13

SPECIAL ORDINANCE NO. S-190-78

AN ORDINANCE approving an Agreement with
Clarance R. Hewes, Developer, for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated October 2, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Clarence R. Hewes, Developer, for:

SANITARY SEWER

Line "A" Beginning at an existing manhole #1 to be constructed over an existing 10" sanitary sewer, said manhole being situated 35 (plus or minus) feet North and 25 (plus or minus) feet East of the centerline intersection of Heine Drive a distance of 335 feet to proposed manhole #2, said manhole being situated 35 (plus or minus) feet North and 40 (plus or minus) feet West of the centerline intersection of Heine Drive and Industrial Road; thence Northeasterly a distance of 150 feet to proposed manhole #3; thence Northerly along the East rightofway of Industrial Road, a distance of 205 feet to proposed manhole #4; thence Northerly along the East rightofway of Industrial Road, a distance of 315 feet to proposed manhole #5, said manhole being situated 570 (plus or minus) feet North and 340 (plus or minus) feet East of the centerline intersection of Heine Drive and Industrial Road; thence Northeasterly, along the rightofway of Industrial Road, a distance of 220 feet terminating at a proposed manhole #6.

Line "B" Beginning at a proposed manhole #5, said manhole being situated 570 (plus or minus) feet North and 340 (plus or minus) feet East of the centerline intersection of Heine Drive and Industrial Road; thence Easterly a distance of 190 feet terminating at a proposed manhole #7.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-190-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-14

SPECIAL ORDINANCE NO. S-191-78

AN ORDINANCE approving Water Contract No. 7815 with Wheatridge Investors, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Contract No. 7815, dated Sept. 25, 1978, between the City of

Fort Wayne, by and through its Mayor and the Board of Public Works and Wheatridge Investors, Inc., for:

Construction of a Water Main along Bridgewater Drive, Valdosta Drive, Newberry Drive and Wallen Road, Wheat ridge Investors, Inc.,

for a total cost of $137,325.50, of which the City will pay $35,109.00 ($29,659.00 paid by Water Utility and $5,450.00 for disinfection and engineering cost paid by Water Utility) and the balance of $102,216.50 will be paid by the developer, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-191-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-15

SPECIAL ORDINANCE NO. S-192-78

AN ORDINANCE approving an Agreement between the City of Fort Wayne, Indiana and Ecolsciences, Inc., for Combined Sewer Overflow Program in City of Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain agreement, dated September 25, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Ecolsciences, Inc., Consultants, for:

Combined Sewer Overflow Program in City of Fort Wayne, which must be developed by the City of Fort Wayne in order to satisfy the U.S. Environmental Protection Agency, to obtain future Federal Assistance in the financing of wastewater facilities,

at a total cost of $6,960.00, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-192-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-16

SPECIAL ORDINANCE NO. S-193-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0238 with Preferred
Products for materials for the Street
Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0238, dated August 25, 1978, between the City of Fort Wayne, by and through the City Utilites Purchasing Agent and the Board of Public Works and Preferred Products, for:

Ten 35' Aluminum Poles for Two Bracket HAPCO #56666002,
Lighting Equipment for Street Lighting Department,

at a cost of $3,988.50, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-193-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-17

SPECIAL ORDINANCE NO. S-194-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0289 with General
Electric Company for materials for the
Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0289, dated September 19, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

100 RPost Top Luminaires without Photo Elec. Recpt.
Lamp to be in horizontal position for use by the Street
Lighting Department,

at a cost of $13,000.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-194-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-18

SPECIAL ORDINANCE NO. S-195-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0290 with Preferred
Products for materials for the Street
Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0290, dated September 19, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Preferred Products, for:

100 16' Pedestal Poles, Aluminum with Black Durgaon
Finish for the Street Lighting Department

at a cost of $11,740.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, V. Schmidt, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-195-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-19

SPECIAL ORDINANCE NO. S-196-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0296 with General
Electric Company for materials for the
Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0296, dated September 20, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

35 Decashield Luminaires to be used by the Street Lighting Department

at a cost of $8,050.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-196-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-20

SPECIAL ORDINANCE NO.- 197-78

AN ORDINANCE approving City Utilities Purchase Order No. 0299 with Preferred Products Company for materials for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0299, dated September 21, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Preferred Products Company, for:

35 35' Aluminum Bronze Painted Poles for the Street Lighting Department,

at a cost of $15,955.45, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hunter, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-197-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-21

SPECIAL ORDINANCE NO. S-198-78

AN ORDINANCE approving City Utilities Purchase Order No. 0300 with General Electric Company for materials for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0300, dated September 25, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

100 250 H.P. Sodium Power Doors, Multi Voltage for the Street Lighting Department

at a cost of $6,900.00, all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-198-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-22

SPECIAL ORDINANCE NO. S-199-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0322 with Westinghouse
Electric Supply Co. for materials for the
Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Order No. 0322, dated October 2, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Westinghouse Electric Supply Co., for:

50 RCOC Relays for Street Lighting Department,

at a cost of $5,711.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: NIne
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-199-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

610

BILL NO. S-78-10-23

SPECIAL ORDINANCE NO. S-200-78

AN ORDINANCE approving City Utilities Purchase Order No. 0324 with Preferred Products Company for materials for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Purchase Order No. 0324, dated October 2, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Preferred Products Company, for:

100 HAPCO Embedded Aluminum Poles for the Street Lighting Department

at a cost of $24,910.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-200-78 on the 24th day of October, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1978, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-27

SPECIAL ORDINANCE NO. S-201-78

AN ORDINANCE approving an Agreement
to purchase Real Estate by James and
Sandra Macon

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated September 12, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and James and Sandra Macon, for:

Lot 12, North 27 1/3 feet, J.T. Hanna Sub.
(Hanna O.L. 12) to the City of Fort Wayne,
Allen County, Indiana.

for a gain to the City of $125.00, all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-201-78 on the 14th day of November, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-13

RESOLUTION NO. R-51-78

A RESOLUTION authorizing payment to
Weikel Line Co., Inc. for repair parts
for the Traffic Engineering Department
(Signal Division)

WHEREAS, the Traffic Engineering Department (Signal Division) was

in need of material and equipment to excavate and repair damaged signal ducts on west side of South Clinton north of Superior Street, and insurance monies in reimbursement for such repair materials and equipment have been received and recipted by the City Controller in the amount of $1,120.85, and Weikel Line Co., Inc. of Woodburn, Indiana furnished said materials and equipment;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay $1,120.85 to Weikel line Co., Inc. of Woodburn, Indiana for furnishing such materials and equipment, upon receipt of a proper voucher from the City Traffic Engineer.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-51-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-14

RESOLUTION NO. R-52-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. unit No. 30, 1978 Ford, 4 door License Plate #11130M0	$380.75	Northway Chrysler Plymout
2)	Park Dept. vehicle No. 40, 1971 International Harvester Truck, License Plate #M010140	60.00	Hoosier Truck Equipment & Spring
	Total	$440.75	

Total $440.75

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, MOses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-52-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-15

RESOLUTION NO. R-53-78

A RESOLUTION authorizing the transfer of funds from Account No. 10-810-371 "Food" to Account No. 10-810-252 "Repair of Equipment" in the 1978 Budget of the Humane Commission

WHEREAS, it has become necessary to transfer funds to Account No. 10810252 "Repair of Equipment" in the 1978 Budget of the Humane Commission, for which adequate funds exist in Account No. 10810371 "Food", and which transfer has been recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne, is hereby authorized to transfer the sum of $1,000.00 to Account No. 10810252 "Repair of Equipment" of the 1978 Budget of the Humane Commission.

SECTION 2. That the unappropriated and unexpended balance of Account No. 10810371 "Food" is hereby reduced in the amount of $1,000.00.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-53-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-16

RESOLUTION NO. R-54-78

A RESOLUTION authorizing the transfer of funds from Account No. 21-850-220 "Utilities" Account No. 21-850-271 "Recreational Services", and Account No. 21-850-620 "Retirement and Social Security" to various accounts of the 1978 Budget of the Parks and Recreation Dept.

WHEREAS, it has become necessary to transfer funds to various items of the 1978 Budget of the Parks and Recreation Department from the accounts numbered and named below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
21-850-220	"Utilities"	$ 35,000.00
21-850-271	"Recreational Services"	$ 15,000.00
21-850-620	"Retirement & Soc. Security"	$ 75,000.00
	Total	$125,000.00

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the accounts of listed above, and appropriated to the accounts of the 1978 Budget of the Parks and Recreation Department, numbered and named below, the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
21-850-265	"Construction"	$ 58,000.00
21-850-421	"Gravel"	$ 3,000.00
21-850-430	"Repair Parts"	$ 5,000.00
21-850-440	"Other Materials"	$ 10,000.00
21-850-510	"Insurance"	$ 49,000.00
	Total	$125,000.00

SECTION 2. That the unappropriated and unexpended balances of the following accounts are hereby reduced by the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
21-850-220	"Utilities"	$ 35,000.00
21-850-271	"Recreational Services"	$ 15,000.00
21-850-620	"Retirement & Soc. Security"	$ 75,000.00
	Total	$125,000.00

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-54-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-17

RESOLUTION NO. R-55-78

A RESOLUTION authorizing the transfer of funds from Account No. 10-620-521 "Rents" and Account No. 10-620-510 "Insurance" to various accounts of the 1978 budget of the Controller's Department

WHEREAS, it has become necessary to transfer funds to various items of the 1978 Budget of the Controller's Department from the accounts numbered and named below, the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
10-620-521	"Rents"	$2,000.00
10-620-510	"Insurance"	$6,400.00
	Total	$8,400.00

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the accounts of the Controller's Department listed above, and appropriated to the accounts of the 1978 Budget of the Controller's Department, numbered and named below, the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
10-620-620	"Retirement & Social Security"	$ 400.00
10-620-623	"Unemployment Compensation"	$ 6,000.00
10-620-725	"Office Equipment"	$ 2,000.00
	Total	$ 8,400.00

SECTION 2. That the unappropriated and unexpended balance of Account No. 10620521 "Rents" and Account No. 10620510 "Insurance" are hereby reduced in the amount of $2,000.00 and $6,400.00, respectively.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-55-78 on the 14th day of November, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-30

SPECIAL ORDINANCE NO. S-202-78

AN ORDINANCE establishing restricted zones for the safe descent, landing and ascent of aircraft and for the proper and safe use of airports or landing fields owned or operated by the City of Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The land and air space within a distance of one mile from all directions of the boundaries of Smith Field Airport owned by the City of Fort Wayne, the legal description of which airport is as follows:

a. The South Fifty (50) acres of the east half of the southwest quarter of Section 11, Township 31 North, Range 12 East, excepting therefrom the right of way of the Railroad Company, Allen County Indiana

b. The North 30 acres of the northeast quarter (1/4) of the southwest quarter (1/4) of Section 11, Township 31 North, Range 12 East, except there from the right of the Fort Wayne, Jackson and Saginaw Railroad Company

c. Rousseau's Truck Farm Addition, according to a plat recorded in Plat Book 7, Page 106, being a subdivision of and including all of the north west quarter of Section 14, Township 31 North, Range 12 East, lying west of the Lake Shore and Michigan Southern Railroad.

d. The east one thousand fortyfour and two tenths (1044.2) feet of the northeast quarter of Section 15, Township 31 North, Range 12 East in Allen County, Indiana

is hereby established as a restricted zone under Section 9 of the Airport Act of 1945, as amended (I.C. 196110).

SECTION 2. Within such zone so established, no building or other structure shall be erected high enough to interfere with the descent of an aircraft at such gliding angle as may be deemed in the opinion of the Board of Aviation Commissioners of said City to be necessary and practicable for safety for the usual type of the operation that is conducted at such airport or landing fields thereon.

SECTION 3. The Board of Aviation Commissioners of the City of Fort Wayne, may, in the name of the City of Fort Wayne, acquire by condemnation, upon the payment of due compensation as provided in the Airport Act of 1945, the right to prevent the erection of, and to require the removal of all buildings, towers, poles, wires, cables, and other structures, and all trees within such zone or zones, which interfere with such gliding angle or so much of any structure or trees as interfere with such gliding angle; and when so condemned, no permit by and department or office of said City, by any State or other authority for the erection of any structure inside any such zone or zones shall be effective and valid, unless approved by the Board of Aviation Commissioners of the City of Fort Wayne.

SECTION 4. The Board of Aviation Commissioners shall exercise no power of condemnation within such zones with respect to any building, tower, poles, wires, cables, or other structures, or any trees, if the location and dimensions of any such building, tower, poles, wires, cables, or other structures, or any trees, do not constitute obstructions to the gliding angle of aircraft and approaches to the airport located within such zones according to the standards set forth in Subpart C of Part 77 of the Federal Aviation Regulations, as amended, published by the United States Department of Transportation, Federal Aviation Administration, January 1975, which by attachment and reference is hereby made a part of this Ordinance and copy of which shall be maintained at the office of the City of Fort Wayne, Indiana.

SECTION 5. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-202-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-08-12

GENERAL ORDINANCE NO. G-31-78

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

"The South 29 feet of a 14 foot right-of-way known
as Marion Court, running from Commerce Drive South
to the first East/West alley South of Commerce Drive."

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G=31=78 on the 14th day of November, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-49

GENERAL ORDINANCE NO. G-32-78

AN ORDINANCE amending General Ordinance
No. G-87 by authorizing the vacation of
a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

> the alley running north from the South end of Lot Number 117 of L.N. Nindes Addition, to the South end of Lot Number 46 then west to the east rightofway line of South Wayne Avenue. Also the portion of the alley from the South rightofway line of Home Avenue along the west side of Lot Number 41 of Nindes Addition and extending to the South end of Lot Number 41.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be effective upon passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. G-32-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-50

GENERAL ORDINANCE NO. G-33-78

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain easement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following easement, to wit:

> an easement, 6 feet in width, for pole lines, sewer and gas, over the Southerly 3 feet of Lots #22, #23, #24, #25, and #26 and over that part of the Northerly 3 feet of Lot #2 lying Westerly of the Southerly projection of the Easterly line of said Lot #26 all in Rousseau's Sub division to the City of Fort Wayne, Indiana, according to the plat thereof recorded in Plat Book 10, page 99 in the Office of the Recorder of Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-33-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-02-09

ZONING MAP ORDINANCE NO. Z-27-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S10

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. S 10, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, towit:

Lot 33 & 34 in Curdes Homewood Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: ONe
Stier
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-27-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-09-14

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 03, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot #3, J.H. Gries 2nd Addition, more commonly known as
1121 East Pontiac Street.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Scmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Six
Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Abstained: One
Burns
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

BILL NO. S-78-10-36

SPECIAL ORDINANCE NO. S-203-78

AN ORDINANCE approving Change Order No. 1
in connection with Street Light Resolution
No. 130-1978, Northwest Central Phase II

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Gilbert Corporation, in connection with Street Light Resolution No. 1301978, for:

additional sidewalks and curbs, 7' curbface walk
instead of 5' walk in Northwest Central Phase II
Project.

in the amount of $5,806.90, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-203-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-37

SPECIAL ORDINANCE NO. S-204-78

AN ORDINANCE approving Change Order
No. 1, in connection with Improvement
Resolution No. 5760-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to Wayne Asphalt & Construction Co., in connection with Improvement Resolution No. 57601977, for:

> additional resurfac ing modification of right turn lane at State and Wells, additional concrete for drive at southeast corner of State and Wells for completion of Wells Street Resurfacing Project so as to prevent further maintenance problems in the future,

in the amount of $5,973.90, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-204-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-38

SPECIAL ORDINANCE NO. S-205-78

AN ORDINANCE approving a contract for sidewalk Improvement Resolution No. 5814-1978, between the City of Fort Wayne, Indiana and Rieth-Riley Constr. Co., Inc., for installation of sidewalks

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated October 9, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and RiethRiley Construction Co., Inc. for:

repair of curbs, sidewalks and inlets in the Larez Community Association Impact Area, Phase I, an area bounded by LaSalle Street on the north, Warsaw Street on east, Creighton Avenue on south and Lafayette Street on west,

under Board of Public Works Sidewalk Improvement Resolution No. 58141978, at a total cost of $84,212.45, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-205-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-39

SPECIAL ORDINANCE NO. S-206-78

AN ORDINANCE approving a contract with Carrington & Associates, Inc. for Sidewalk Improvement Resolution No. 5812-1978

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 9, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Carrington & Associates, Inc., for:

> construction of sidewalks, curbs, catch basins, all as needed for the Oxford Impact Area, Phase III, an area bounded by Colerick Street on the north, Drexel Avenue on the south, the alley lying between Holton and Reed on the west, and the alley lying between Lillie and Anthony on the east,

under Board of Public Works Sidewalk Improvement Resolution No. 58121978, at a total cost of $102,429.35, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-206-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-40

SPECIAL ORDINANCE NO. S-207-78

AN ORDINANCE approving Change Order No. 2,
in connection with Improvement Resolution
No. 5802-1978, Nebraska Phase III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Hipskind Asphalt Corporation, in connection with Improvement Resolution No. 58021978, Nebraska Phase III, for:

> replacement of street pavement, which was
> removed in the replacement of curbing on
> Boone Street,

in the amount of $1,541.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-207-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-42

SPECIAL ORDINANCE NO. S-208-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0278 with Ace Doern
for General Superintendent to transport
a truck mounted crane for Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0278, dated October 11, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Ace Doern, for:

> General Superintendent to transport a truck mounted crane from U. S. Government Property located at Fort Devins, Massachusetts to Fort Wayne City Utilities Garage, for the Filtration Plant.

at a cost of $3,052.93, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-208-78 on the 14th day of November, 1978.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-43

SPECIAL ORDINANCE NO. S-209-78

AN ORDINANCE approving a blanket
purchase order - City Utilities PUrchase
Order No. 0338 for materials for
the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase Order City Utilities Purchase Order No. 0338, dated October 10, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and National Mill Supply, for:

Copper pipe for the Water Maintenance
q and Service Department

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-209-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-10-44

SPECIAL ORDINANCE NO. S-210-78

AN ORDINANCE approving City Utilities Purchase Order No. 0332 with Taylor-Martin Papers, Inc. for supplies for Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0332, dated October 6, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and TaylorMartin Papers, Inc., for:

400/M Sheets of TransRite Reverse Collation
Paper for Office Services Department

at a cost of $3,000.00, all as more particularly set forth in said Purchase Order which is on file

in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-210-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-48

RESOUTION NO. R-50-78

A RESOLUTION correcting Scrivener's Errors in General Ordinance No. G-27-78, Establishing Rates and Charges for use and Services of City of Fort Wayne Waterworks System

WHEREAS, scrivener's errors occurred in General Ordinance No G2778, Section (1), Pargraph (C) and (D); and

WHEREAS, it is necessary to have the correct figures made a part of said Ordinance and to be approved by the Common Council;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following correct figures are hereby approved by the Common Council and made a part of General Ordinance G2778 approved by the Common Council on the 26th day of Sept., 1978 and that the Clerk of the City of Fort Wayne be authorized and directed to insert the following correct figures in Paragraph (C) insert $151.20 instead of $151.49 and in Paragraph (D) insert $151.20 instead of $151.49; $16.80 instead of $27.51; $37.80 instead of $62.88; $67.20 instead of $112.66; $151.20 instead of $255.45; $258.80 instead of $453.26; $420.00 instead of $707.40; $604.80 instead of $1020.49; and $1075.20 instead of $1813.04.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Hinga

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-50-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-11-50

GENERAL ORDINANCE NO. G-30-78

AN ORDINANCE AMENDING GENERAL ORDINANCE
NO. G-26-78, SECTIONS 3 (b), 3(c), 4 & 6

WHEREAS, heretofore on September 26, 1978, the Common Council of the City of Fort Wayne, Indiana, adopted above numbered Ordinance G2678, and

WHEREAS, this Ordinance concerning the issuance of Revenue Bonds should be amended to provide for current bond rates;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. That Section 3 (b) is hereby amended to be and read as follows:

3 (b) Depreciation Account. Ten per cent (10%) of the gross revenues of said waterworks shall be set aside into the Depreciation Account and shall be expended in making good depreciation in the waterworks or in new construction, extensions or additions to the property of the waterworks. Any accumulations in said Depreciation Account not required for immediate use may be invested in direct obligations of the United States Government to the extent permitted by law, and if so invested the income from the investment shall accrue to the Depreciation Account. The funds in said account shall not be used for any purpose other than as herein provided.

SECTION 2. That the first sentence of Section 3 (c) is hereby amended to be and read as follows:

3 (c) Bond and Interest Redemption Account. Twentynine per cent (29%) of the gross revenues of the waterworks shall, as such revenues are received, be set apart and paid into a special account to identified as the "Bond and Interest Redemption Account."

SECTION 3. That the second sentence of Section 4 is hereby amended to be and read as follows:

Said bonds shall be in a principal amount not exceeding Eighteen Million Dollars ($18,000,000),

in the denomination of Five Thousand Dollars ($5,000) each, numbered consecutively from 1 up, dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates to be not exceeding seven per cent (7%) per annum (the exact rate or rates to be determined by bidding), and at a net effective interest rate not exceeding six and three quarters per cent (63/4%), which interest shall be payable semiannually on January 1 and July 1 of each year, beginnning on January 1, 1979, and shall be evidenced by coupons attached to said bonds.

SECTION 4. That the Bond Form in Section 6, Paragraph 4 is hereby amended to be and read as follows:

The Principal of and interest on this bond and all other bonds of said issue, certain Water Works Revenue Bonds of 1967, now outstanding in the principal amount of Two Million Seven Hundred Sixty Five Thousand Dollars ($2,765,000) issued under date of November 1, 1967, pursuant to General Ordinance No. G9567, as amended by General Ordinance No. G10467 and G11067, bearing interest at the rate of five per cent (5%) per annum, and maturing over a period ending on January 1, 2000, certain Waterworks Revenue Bonds of 1968, (now outstanding in the principal amount of Two Million Nine Hundred Sixty - Five Thousand Dollars ($2,965,000), issued under date of December 1, 1968,) pursuant to General Ordinance No. G2968, bearing interest at the rate of five and onehalf per cent (51/2%) and five and forty hundredths per cent (5.40%) per annum, depending on the maturities, and maturing over a period ending on January 1, 2000, all ranking on a parity herewith, and any bonds hereafter issued ranking on a parity therewith, are equally and ratably secured by and constitute a charge upon twentynine per cent (29%) of the gross income and revenues of the municipally owned waterworks of the City, as the same now exists or may hereafter be improved or extended, which percentage of such income and revenues is to be deposited in a special account designated as the "Bond and Interest Redemption Account." The City shall not be obligated to pay said bonds or the interest thereon except from said special fund, and neither this bond nor the issue of which it is a part shall in any respect constitue a corporate indebtedness of the City within the provision and limitation of the constitution of the State of Indiana.

SECTION 5. That all other Sections of G2678 remain in full force and effect as orginally passed.

SECTION 6. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Hunter

Date: 11-14-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-30-78 on the 14th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of November, 1978, at the hour of 4:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-03

SPECIAL ORDINANCE NO. S-211-78

AN ORDINANCE approving Civil City Purchase Order No. 4-03374 with Deeds Equipment Company, Inc. for Spreaders for Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 403374, dated October 30, 1978, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Deeds Equipment Company, Inc., for:

> two Hydraulic "V" Box Material Spreaders complete with two inverted "V" shields and two screens over Hopper, for the City Street Department, necessary equipment for snow removal operations,

at a cost of $7,923.30, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-211-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-04

SPECIAL ORDINANCE NO. S-212-78

AN ORDINANCE approving blanket Civil City and City Utilities Purchase Orders for 1979 for Asphalt for various departments of the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City and City Utilities Blanket Purchase Orders, numbered and listed below, dated October 31, 1978, between City Purchasing Director, City Utilities Purchasing Agent, respectively, and the Board of Public Works and the following companies for the purchase of asphalt for various Departments of the City, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.C.P.O.#	C.U.P.O.#
Hipskind Asphalt & Co.	B403330	B0422
Wayne Asphalt Co.	B403364	B0423

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-212-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-05

SPECIAL ORDINANCE NO. S-213-78

AN ORDINANCE approving blanket Civil City
and City Utilities Purchase Orders for
1979 for Automotive Supplies for various
departments of the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City and City Utilities Blanket Purchase Orders, numbered and listed below, dated October 24, 1978, between City Purchasing Director, City Utilities Purchasing Agent, respectively, and the Board of Public Works and the following companies for the purchase of Automotive Supplies for various departments of the City, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.C.P.O#	C.UP.O.#
Crown Battery	B403348	B0383
Motive Power, Inc.	B403349	B0384
Taylor & Blackburn	B403350	B0385
R.P.S Products	B403351	B0386
Associated Tires	B403352	B0387
Aero Oil Company	B403353	B0388

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Foru
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-213-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-06

SPECIAL ORDINANCE NO. S-214-78

AN ORDINANCE approving blanket Civil
City and City Utilities Purchase Orders
for 1979 for Grease and Oil Requirements for
various departments of the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City and City Utilities Blanket Purchase Orders, numbered and listed below, dated October 24, 1978, between City Purchasing Director, City Utilities Purchasing Agent, respectively, and the Board of Public Works and the following companies for the purchase of automotive grease and oil requirements for various departments of the City, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.C.P.O.#	C.U.P.O.#
Smith Petroleum	B403366	B0401
Aero Oil Company	B403367	B0402
Paul K. Horstman	B403368	B0403
Gast Fuel & Service	B403369	B0404
Linder Oil Co., Inc.	B403370	B0405

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-214-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-07

SPECIAL ORDINANCE NO. S-215-78

AN ORDINANCE approving Civil City
Purchase Order No. 4-05220 with Hefner
Chevrolet, Inc., for one vehicle for
Board of Public Works

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 405220, dated November 3, 1978, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Hefner Chevrolet, Inc., for:

One 1979 Chevrolet onehalf ton pickup truck for the
Board of Public Works,

at a cost of $5,451.62, all as more particularly set forth in said Purchase Order, which is on file in the

Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-215-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-11-08

SPECIAL ORDINANCE NO. S-216-78

AN ORDINANCE approving blanket Civil City and City Utilities Purchase Orders for 1979 for various aggregates for various departments of the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City and City Utilities Blanket Purchase Orders, numbered and listed below, dated November 2, 1978, between City Purchasing Director, City Utilities Purchasing Agent, respectively, and the Board of Public Works and the following companies for the purchase of various aggregates for various Departments of the City, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.C.P.O.#	C.U.P.O.#	
Brudi Stone & Gravel Co.	B405226	B0441	Stone, Sand, Top Soil, & Various Aggregates
May Stone & Sand, Inc.	B405227	B0442	Stone, Sand, Top Soil, & Various Aggregates

Midwest Aggregates Corp.	B405228	B0443	Stone, Sand, Top Soil, & Various Aggregates
Kling Trucking, Inc.	B405229	B0444	Req. for Zone #2 Sand 142

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Abs ent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-216-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-11

SPECIAL ORDINANCE NO. S-217-78

AN ORDINANCE approving an Agreement to
Purchase by Mr. Phillip H. Love

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated October 23, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Mr. Phillip H. Love, for:

the East 1.2 of Lot 212 Eliza Hanna, Sr. Addition to the City of Fort Wayne, Allen County, Indiana, which address is located at 1342 Hayden Street

for a gain to the City of $125.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, D. Schmidt, Nuckols, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-217-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-12

SPECIAL ORDINANCE NO. S-218-78

AN ORDINANCE approving an Agreement to
Purchase by Mr. James H. Bowman

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated October 23, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Mr. James H. Bowman, for:

the East 1/2 of Lot 63, LaSalle's Addition to the City
of Fort Wayne, Allen County, Indiana, also known as
421 East DeWald Street,

for a gain to the City of $125.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Burns, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-218-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-56

RESOLUTION NO. R-56-78

A RESOLUTION authorizing the transfer
of funds within the 1978 Budget of the
Parking Administration

WHEREAS, an EMERGENCY, exists for the transfer of additional funds to various items of the 1978 Budget of the Parking Administration, which transfer has been recommended by the City Controller;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the accounts of the 1978 Budget of the Parking Administration, numbered and named below, the amounts set opposite them below, respectively, to Account No. 32891265 "Construction" of said budget, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
32891621	"Taxes"	$1,000.00
32891540	"Clothing Allowance"	$ 700.00
32=891520	"Rents"	$1,700.00
	Total	$3,400.00

SECTION 2. That the sum of $650.00 is hereby transferred from Account No. 32891520 "Rents" and appropriated to Account No. 32891722 "Motor Equipment" of the 1978 Budget of the Parking Administration.

SECTION 3. That the unappropriated and unexpended balances of the accounts numbered and named below are hereby reduced in the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
32891621	"Taxes"	$1,000.00
32891540	"Clothing Allowance"	700.00
32891520	"Rents"	$2,350.00
	Total	$4,050.00

SECTION 4. That this Resolution shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-56-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-07-18

ZONING ORDINANCE NO. Z- 28-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-22.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N22, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots Number 79, 80, 81, 82, 83, 84, 85 and 86 in Highland Park Addition Extended to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 6, page 38, in the Office of the Recorder of Allen County, Indiana, Deed Record Number 785305.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Stier, seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-28-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-24

SPECIAL ORDINANCE NO. S-219-78

AN ORDINANCE approving a contract for
Improvement Resolution No. 5817-78,
between the City of Fort Wayne, Indiana
and Dailey Asphalt Products Co., Inc.
for resurfacing Calhoun Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated October 25, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board Of Public Works and Dailey Asphalt Products Co., Inc., for:

> resurfacing Calhoun Street from North property line of Baker to South property line of Pontiac Street and from the South curb line of Rudisill Blvd. to a point 50' feet South of the South property line of Pettit Avenue as platted East of Calhoun Street

under Board of Public Works Improvement Resolution No. 581778, at a total cost of $171,785.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-219-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-25

SPECIAL ORDINANCE NO. S-220-78

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5819-1978,
between the City of Fort Wayne, Indiana,
and Moellering Construction Co., Inc. for
resurfacing certain streets

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Moellering Construction Co., Inc., for:

resurfacing and restoring pavement on Ewing Street from the south property line of Jefferson Street to the north property line on Baker Street, and Runnion Avenue from the south property line of Spring Street to the north curb line of Main Street,

under Board of Public Works Street Improvement Resolution NO. 58191978, at a total cost of $126,322.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-220-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-26

SPECIAL ORDINANCE NO. S-221-78

AN ORDINANCE approving Change Order No. 2,
in connection with Improvement Resolution
No. 5796-78, the Landing

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Brooks Construction Co., Inc., in connection with Improvement Resolution No. 579678, the Landing, for:

additional brick, reinforcement, iron ledge and stone
wall removal to give adequate support to new sidewalk,

in the amount of $4,435.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S=221-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-27

SPECIAL ORDINANCE NO. S-222-78

AN ORDINANCE approving Change Order No. 1,
in connection with Improvement Resolution
No. 5778-78, Stratton Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to John Dehner, Inc., in connection with Improvement Resolution No. 577878, Stratton Road, for:

additional concrete pavement due to error incurred in
estimating quantity required to construct street,

in the amount of $3,511.23, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-222-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-29

SPECIAL ORDINANCE NO. S-223-78

AN ORDINANCE approving Change Order No. 1,
in connection with Improvement Resolution
No. 5767-77, Clinton Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to RiethRiley Construction Co., Inc., in connection with Improvement Resolution No. 576777, for:

installation of additional P.V.C. pipe for Water Pollution Control and furnish and adjust two frames and castings for safety measures for Clinton Street,

in the amount of $5,645.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D.Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman/ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-223-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-30

SPECIAL ORDINANCE NO. S-224-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0362 with Ford Meter
Box for supplies for Water Maintenance
and Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0362, dated October 17, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Fort Meter Box, for:

water meter supplies for Water Maintenance & Service
Department (Basement & changeover resetters for
water meters),

at a cost of $4,834.50, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-224-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-31

SPECIAL ORDINANCE NO. S-225-78

AN ORDINANCE approving City Utilities Purchase Order No. B-0366 with McVey-Midland Piping for materials for Water Pollution Control Maintenance Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT, WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. B0366, dated October 19, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and McVeyMidland Piping, for blanket purchase of:

Casting requirement manhole castings, concave inlets & curb catch basins for the Water Pollution Control Maintenance Department, for the year 1979,

all as more particularly set forth in said blanket Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-225-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-32

SPECIAL ORDINANCE NO. S-226-78

AN ORDINANCE approving an Agreement with
Longwood Development for construction of
a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated October 16, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Longwood Development, for:

LONGWOOD - SECTION 1

SANITARY SEWER

Line "A" Beginning at an existing manhole over an existing 24" sanitary sewer, said manhole being situated 70 (plus or minus) feet East of the intersection of the right-of-way of White Hall Drive and the Southeast corner of Lot #69 in LONGWOOD, SECTION 1; thence Southwesterly, a distance of 310 feet to proposed Manhole #1, said manhole being situated on the corner of Lots #70 and #71 and the South right-of-way of White Hall Drive in LONGWOOD, SECTION 1; thence Westerly, along the South right-of-way of White Hall Drive, a distance of 385 feet to proposed Manhole #2; thence Westerly, along the South right-of-way of White Hall Drive, a distance of 260 feet to proposed Manhole #3; thence Westerly, along the South right-of-way of White Hall Drive, a distance of 235 feet to proposed Manhole #4; thence Northeasterly, along the South right-of-way of White Hall Drive, a distance of 230 feet to proposed Manhole#5, said manhole being situated at the intersection of the South right-of-way of White Hall Drive and the Northwest right-of-way of White Hall Court in LONGWOOD, SECTION 1; thence Southwesterly, along the Northwest right-of-way of White Hall Court, a distance of 150 feet terminating at proposed Cleanout #1, said cleanout being situated on the right-of-way of White Hall court and approximately 10 feet North of the Southeast corner of Lot #12 in LONGWOOD, SECTION 1.

Line "B" Beginning at proposed Manhole #2, said manhole being situated at the intersection of the South right-of-way of White Hall Drive and the West right-of-way of Longwood Drive in LONGWOOD, SECTION 1; thence Northerly along the West right-of-way of Longwood Drive, a distance of 240 feet terminating at proposed Manhole #7, said manhole being situated 10 feet North of the South corner of Lot #29 and on the right-of-way of Longwood Drive in LONGWOOD, SECTION 1.

Line "C" Beginning at proposed Manhole #3, said Manhole being situated on the corner of Lots #3 and #4 and the South right-of-way of White Hall Drive in LONGWOOD, SECTION 1; thence Northerly along the East right-of-way of

Albermarle Court, a distance of 235 feet to proposed

Manhole #6; thence Northeasterly, a distance of 150 feet terminating at proposed Cleanout #2, said cleanout being situated on the corner of Lots #23 and #24 and the right-of-way of Albermarle Court in LONGWOOD, SECTION 1.

Line "D" Beginning at an existing manhole over an existing 24" sanitary sewer, said manhole being situated 60 (plus or minus) feet West and 10 (plus or minus) feet South of the East corner of Lot #44 in LONGWOOD, SECTION 1' thence Northeasterly, a distance of 170 feet to proposed Manhole #8, said manhole being situated 40 (plus or minus) feet South of the East corner of Lot #45 and on the West right-of-way of Longwood Drive in LONGWOOD, SECTION 1; thence Northerly, along the West right-of-way of Longwood Drive, a distance of 375 feet terminating at a proposed Manhole #9, in LONGWOOD, SECTION 1.

Line "E" Beginning at proposed Manhole #8, said manhole being situated 40 (plus or minus) feet South of the East corner of Lot #45 and on the West right-of-way of Longwood Drive in LONGWOOD, SECTION 1; thence Southeasterly, along the Southerly right-of-way of Longwood Court, a distance of 290 feet to proposed Manhole #10; thence Easterly, along the South right-of-way of Longwood Court, a distance of 90 feet to proposed Manhole #11; thence Northeasterly, a distance of 345 feet terminating at proposed Mahole #11a, said manhole being situated on the North corner of Lot #53 in LONGWOOD, SECTION 1.

Line "F' Beginning at an existing manhole over an existing 24" sanitary sewer, said manhole being situated 20 (plus or minus) feet South of the North corner of Lot #40 in LONGWOOD, SECTION 1; thence Southwesterly, along the Northwest line of Lot #40, a distance of 190 feet to proposed Manhole #12, said manhole being situated 15 (plus or minus) feet Northeast of the North corner of Lot #33 and on the Sotherly right-of-way of Culpeper Court of LONGWOOD, SECTION 1; thence Northwesterly, along the Southerly right-of-way of Culpeper Court, a distance of 140 feet terminating at a proposed Cleanout #4, said cleanout being situated 25 (plus or minus) feet Southwest of the Southeast corner of Lot #36 and the right-of-way of Culpeper Court in LONGWOOD, SECTION 1.

Line "G" Beginning at a proposed Manhole #12, said manhole being situated 15 (plus or minus) feet Notheast of the North corner of Lot #33 and on the Southerly right-of-way of Culpeper Court in LONGWOOD, SECTION 1; thence Southeasterly along the right-of-way of Culpeper Court, a distance of 320 feet to proposed Manhole #13; thence Southeasterly, a distance of 150 feet terminating at a proposed Cleanout #3, said claanout being situated on the corner of Lots #62 and #63 and the South right-of-way of Longwood Drive in LONGWOOD, SECTION 1.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Ster, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-226-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-33

SPECIAL ORDINANCE NO. S-227-78

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0375 for materials for Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B0375, dated September 6, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Illinois Carbon Products, for:

typewriter ribbons and correctable film ribbon for the Office Services Department, to be used by various Offices,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-227-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-34

SPECIAL ORDINANCE NO. S-228-78

AN ORDINANCE approving City Utilities
Purchase Order No. 0376 with Clow
Corporation for materials for Water
Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0376, dated October 20, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Clow Corporation for:

500 L.F. of water main pipe, Class #50 slip joint ductile iron to replace pipe borrowed from John Dehner and Water Maintenance Stock to install a water main at Hessen Cassel Road, south of Tillman Road in order to expedite installation of said pipe before modification in Tillman Road project, involving Decel Lane,

at a cost of $6,445.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-228-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-35

SPECIAL ORDINANCE NO. S-229-78

AN ORDINANCE approving City Utilities Purchase Order No. 0379 with Deeds Equipment Co., Inc. for materials for Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0379, dated October 23, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Deeds Equipment Co., Inc., for:

one Wachs Truck mounted hydraulic valve operator with mounted hydraulic equipment for the Water Maintenance and Service Department

at a cost of $5,350.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-229-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-36

SPECIAL ORDINANCE NO. S-230-78

AN ORDINANCE approving City Utilities Purchase Order No. 0439 with General Electric Co. for supplies for City Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0439, dated November 3, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Co., for:

100 Lucalox Luminaires for City Street Lighting Dept.,

at a cost of $6,650.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-230-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-37

SPECIAL ORDINANCE NO. S-231-78

AN ORDINANCE approving a contract for Water Contract #78-XP-1 between the City of Fort Wayne, Indiana and Bercot, Inc. for construction of a water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Bercot, Inc., for:

construction of a water main on Ardmore Avenue, beginning at a point 200 ± L.F. South of Engle Road, thence South 200 ± L.F.,

under Board of Public Works Water Contract #78XP1, at a total cost of $9,598.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-231-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-38

SPECIAL ORDINANCE NO. S-232-78

AN ORDINANCE approving a contract for Street Lighting Resolution No. 131-78, between the City of Fort Wayne, Indiana and T & F Construction Corporation for installation of street lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation, for:

construction and installation of ornamental street lighting with underground lighting to serve the Lakewood Park Addi tion,

under Board of Public Works Street Lighting Resolution No. 13178, at a total cost of $28,600.40, all as

more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns,
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-232-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S

Robert E. Armstrong
Mayor

BILL NO. S-78-11-39

SPECIAL ORDINANCE NO. S-233-78

AN ORDINANCE approving a contract for Water Contract #7812, between the City of Fort Wayne, Indiana and North Eastern Enterprises, Inc. for construction of water maines

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and North Eastern Enterprises, Inc., for:

construction of water mains on Tanbark, Squires Place, Margot Way, Underwood Cove, Woodthrush Drive, Melrose Place and Ridgeside Lane in Tanbark, Section 1,

under Board of Public Works Water Contract #7812, at a total cost of $7,978.75, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-233-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-40

SPECIAL ORDINANCE NO. S-234-78

AN ORDINANCE approving City Utilities
Blanket Purchase Order Nos. B-0336
with V. R. Myers Pump and B-0337 with
Central Supply Company for materials
for Water Maintenance &Service Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase orders City Utilities Purchase Order Nos. B0336 and B0337, dated October 18, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and V. R. Myers Pump and Central Supply Company, respectively, for:

bronze fittings for Water Maintenance & Service Dept.

all as more particularly set forth in said blanket purchase orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-234-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-41

SPECIAL ORDINANCE NO. S-235-78

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0434 for materials for City Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B0434, dated November 2, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Graybar Electric Company, for:

blanket purchase of Electric Lamps for the Year 1979
for the City Street Lighting Department,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-235-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-42

SPECIAL ORDINANCE NO. S-236-78

AN ORDINANCE approving City Utilities Purchase Order No. 0435 with General Electric Co. for supplies for Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0435, dated November 2, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Co., for:

150 Post Top Luminaires for City Street Lighting Dept.,

at a cost of $19,500.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-236-78 on the 28th day of November, 1978.

ATTEST:

(SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-43

SPECIAL ORDINANCE NO. S-237-78

AN ORDINANCE approving City Utilities Purchase Order No. 0437 with Preferred Products Company for supplies for Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0437, dated November 2, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Preferred Products Company, for:

150 HAPCO Embedded Black Aluminum Light Poles for City Street Lighting Department

at a cost of $17,610.00, all as more particularly set forth in said Purchase Order which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt
Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-237-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-44

SPECIAL ORDINANCE NO. S-238-78

AN ORDINANCE approving City Utilities Purchase Order No. 0393 with Underground Pipe & Valve, Inc. for materials for Water Pollution Control Engineering Dept.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0383, dated October 24, 1978, between

the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Underground Pipe & Valve, Inc., for:

414 L.F. of 8" x 18' Clow Boltless River Crossing Pipe
and 414 L.F. of 10" x 18'0" Clow Boltless River Crossing
Pipe with plug and cap for Water Pollution Control
Engineering Dept.,

at a cost of $35,335.24, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, D. Schmidt, V. Schmidt, Nuckols

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-238-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman / ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-45

SPECIAL ORDINANCE NO. S-239-78

AN ORDINANCE approving an Agreement
with Wheatridge Investors, Inc., for
construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated October 30, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Wheatridge Investors, Inc., for:

OFF-SITE SEWER

Beginning at an existing manhole on the St. Joe Intercetpor Sewer located on the east side of Beckett Run and 360 ± feet westerly from the westerly rightofway line of Interstate Highway #69; thence westerly through the properties now or formerly owned by Leonard and Edwin Willig and Rosemary A. Logue, 1,075 ± feet to a proposed manhole in Auburn Road; thence continuing westerly and southerly along the north bank and following the meanderings of the

Kruse Drain a distance of 1,720 ± feet to a proposed manhole located on the east side of the proposed Wheatridge Addition, said manhole also on the west line of the property now or formerly owned by Kenneth J. Klooze.

Said sewer shall be twelve (12) inches in diameter.

ONSITE SANITARY SEWERS WHEATRIDGE Main Line

Beginning at the proposed manhole located at the terminus of the above described offsite sewer; thence southwesterly 270 ± feet to a proposed manhole; thence westerly 370 ± feet to a proposed manhole located on the east side of future Sakaden Court; thence southwesterly along the east line of said future Sakaden Court 530 ± feet to a proposed manhole; thence southwesterly 615 ± feet to a proposed manhole on the east side of Weymouth Drive; thence southerly along the east side of Weymouth Drive 270 ± feet to a proposed manhole on the south side of Easton Trail; thence westerly along the south side of Easton Trail, 1,230 ± feet to a proposed manhole at the northwest corner of Lot #14; thence westerly along the north side of Easton Trail 380 ± feet, terminating at a proposed cleanout.

Lateral #1

Beginning at proposed manhole #6 on the main line located on the east side of Weymouth Drive at the southwest corner of Lot #100; thence northerly and westerly along Weymouth Drive to a proposed manhole located at the intersection of Valdosta Drive 180 ± feet, terminating at a proposed manhole.

Lateral #1A

Commencing at a proposed manhole on Lateral #1 located at the southeast corner of the intersection of Weymouth Drive and Valdosta Drive; thence southwesterly along the east side of Valdosta Drive 200 ± feet, terminating at a proposed manhole.

Lateral #2

Beginning at a proposed manhole located on Lateral #1 in the center of Lot #102 on the east side of Weymouth Drive; thence southwesterly along a proposed easement 570 ± feet to a proposed manhole; thence northwesterly and along the east side of Bisque Court to a proposed manhole at the southest corner of the intersection of Bisque Court and Valdosta Drive; thence northeasterly along the east side of Valdosta Drive 150 ± feet, terminating at a proposed cleanout. Also commencing at the manhole located on proposed Lateral #2 at the southeast corner of Bisque Court and Valdosta Drive; thence southwesterly 60 ± feet, terminating at a proposed cleanout located in the northeast corner of Lot #56.

Lateral #2A

Commencing at a proposed manhole located on Lateral #2 located at the southeast corner of Lot #75 in Tendall Court; thence northwesterly along the southerly side of Tendall Court 465 ±, feet, terminating at a proposed manhole located at the northeast corner of Lot #10.

Lateral #3

Commencing at a proposed manhole on the main line located at the northeast corner of the intersection of Easton Trail and Bridgewater Drive; thence northerly along the east side of Bridgewater Drive 855 ± feet to a proposed manhole at the southeast corner of the intersection of Bridgewater Drive and Valdosta Drive; thence northeasterly along the east side of Valdosta Drive, 60 ± feet, terminating at a proposed cleanout.

Said sewer shall be eight (8) and ten (10) inches in diameter.

ONSITE SANITARY SEWERS NEWBERRY Main Line

Beginning at an existing manhole located at the southwest corner of Lot #9, Manor Park Addition; thence northerly 320 ± feet to a proposed manhole located at the southeast corner of Lot #27 of Newberry; thence northwesterly along the south line of said Lot #27, 135 ± feet to a proposed manhole located on the south side of Crowder Court; thence southerly and northwesterly along the south and southwesterly sides of Crowder Court, 1,355 ± feet, terminating at a proposed manhole at the northwest corner of Lot #44 of Newberry.

Lateral #1

Beginning at a proposed manhole on the main line located at the northeast corner of Lot #35;

thence northeasterly along the east side of Conway Court, 680 ± feet to a proposed cleanout.

Lateral #2

Beginning at a proposed manhole located at the northeast corner of Lot #35; thence southwesterly along an easement on the north line of said Lot #35, 125 ± feet, terminating at a proposed clean-out.

Lateral #3

Beginning at a proposed manhole on the main line located at the southwest corner of the intersection of Newberry Drive and Crowder Court; thence northeasterly along the east side of Newberry Drive, 380 ± feet, terminating at a proposed cleanout.

Lateral #4

Beginning at a proposed manhole located at the southeast corner of the intersection of Newberry Drive and Crowder Court; thence southwesterly along the south side of Newberry Drive, 95 ± feet, terminating at a proposed cleanout.

Said sewers shall be eight (8) and ten (10) inches in diameter.

for which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-239-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-46

SPECIAL ORDINANCE NO. S-240-78

AN ORDINANCE approving an Agreement
with Windsor Development for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated October 25, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Windsor Development, for:

WINDSOR WOODS SECTION 1

SANITARY SEWER

Line "A" Beginning at proposed Manhole #2, said manhole being situated 70 (plus or minus) feet North and 25 (plus or minus) feet West of the Northwest corner of Lot #50 in WINDSOR WOODS, SECTION 1: thence Southeasterly, along the West line of Lot #50, a distance of 315 feet to proposed Manhole #3, said manhole being situated 50 feet Northeast of Lot #47 and on the centerline of Langworth Court; thence Southerly, along the West right-of-way of Langworth Court, a distance of 280 feet to proposed Manhole #4, said manhole being situated on the Southeast corner of Lot #45 in WINDSOR WOODS, SECTION 1; thence Southeasterly, along the East line of Lot #5, a distance of 240 feet to proposed Manhole #5, said manhole being situated on the Southeast corner of Lot #5 in WINDSOR WOODS, SECTION 1 and on the North line of Kehr's Addition; thence Westerly, along the North line of Kehr's Addition, a distance of 400 feet to proposed Manhole #6; thence Westerly, along the North line of Kehr's Addition, a distance of 400 feet to proposed Manhole #7; thence Westerly, along the North line of Kehr's Addition, a distance of 380 feet terminating at proposed Manhole #8, said manhole being situated 105 feet West of the Southeast corner of Lot #19 in WINDSOR WOODS, SECTION 1.

Line "B" Beginning a t Proposed Manhole #11, said manhole being situated on the West corner of Lot #26 in WINDSOR WOODS, SECTION 1; thence Southeasterly, along the Southwest line of Lot #26, a distance of 60 feet terminating at Proposed Cleanout #1.

Line "C" Beginning at proposed Manhole #13, said manhole being situated on the Southwest corner of Lot #48 in WINDSOR WOODS, SECTION 1; thence Northerly, along the West line of Lot #48, a distance of 40 feet terminating at proposed Cleanout #3.

Line "D" Beginning at an existing manhole over an existing 21" sanitary sewer, said manhole being situated 190 (plus or minus) feet North and 110 (plus or minus) feet East of the Northwest corner of Lot #50 in WINDSOR WOODS, SECTION 1; thence Southwesterly, a distance of 180 feet to proposed manhole #2, said manhole being situated 70 (plus or minus) feet North and 25 (plus or minus) feet West of the Northwest corner of Lot #50; thence Westerly, a distance of 255 feet to proposed Manhole #9, said manhole being situated 70 (plus or minus) feet North and 60 (plus or minus) feet East of the North corner of Lot #31 in WINDSOR WOODS, SECTION 1; thence Southwesterly, a distance of 260 feet to proposed Manhole #10, said manhole being situated on the North corner of Lot #29 in WINDSOR WOODS, SECTION 1; thence Southwesterly, a distance of 335 feet to proposed Manhole #11, said manhole being situ-

ated on the West corner of Lot #26 in WINDSOR WOODS, SECTION 1; thence Southwesterly, a distance of 400 feet terminating at proposed Manhole #12, said manhole being situated on the Southeast corner of Lot #21 in WINDSOR WOODS, SECTION 1.

Line "E" Beginning at proposed Manhole #3, said manhole being situated 50 feet Northeast of Lot #47 and on the centerline of Langworh Court; thence Southwesterly along the South line of Lot #48 in WINDSOR WOODS, SECTION 1, a distance of 200 feet to proposed Manhole #13, said manhole being situated on the Southwest corner of Lot #48; thence Southeasterly, a distance of 340 feet terminating at Manhole #14, said manhole being situated 5 (plus or minus) feet West of the Northwest corner of Lot #41 in WINDSOR WOODS, SECTION 1.

Line "F" Beginnning at proposed Manhole #4, said manhole being situated on the Southeast corner of Lot #45 and on the North right-of-way of WINDSOR WOODS Blvd. South in WINDSOR WOODS, SECTION 1; thence Easterly, along the North right-of-way of Windsor Woods Blvd. South, a distance of 210 feet to proposed Manhole #15, said manhole being situated on the intersection of the North right-of-way of Windsor Woods Blvd. South and the West right-of-way of Radbourne Drive; thence Easterly along the North right-of-way of Windsor Woods Blvd. South, a distance of 220 feet to proposed Manhole #16; thence Southeasterly, along the North right-of-way of Windsor Woods Blvd., a distance of 100 feet to proposed Cleanout #4, said cleanout being situated on the Southwest corner of Lot #59 in WINDSOR WOODS, SECTION 1.

Line "G" Beginning at proposed Manhole #15, said manhole being situated on the intersection of the North right-of-way line of Windsor Woods Blvd. South and the West right-of-way line of Radbourne Drive; thence Southerly, along the West right-of-way of Radbourne Drive, a distance of 165 feet to proposed Manhole #17; thence Southerly, along the West right-of-way of Radbourne Drive, a distance of 130 feet terminating at proposed Cleanout #5, said cleanout being situated 10 (plus or minus) feet South of the Northeast corner of Lot #1 and on the West right-of-way of Radbourne Drive in WINDSOR WOODS, SECTION 1.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V.Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-240-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-47

SPECIAL ORDINANCE NO. S-241-78

AN ORDINANCE approving a contract for Water Contract #7813 between the City of Fort Wayne, Indiana and North Eastern Enterprises, Inc. for construction of water mains

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 6, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and North Eastern Enterprises, Inc., for:

construction of water mains on Rothman Road at Maplecrest Road to Meriwood Drive and Meriwood Drive from Rothman Road to its northern boundary in Tanbark, Section II,

under Board of Public Works Water Contract #7813, at a total cost of $18,765.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hunter, Moses, Stier, Talarico
Nays: None
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-241-78 on the 28th day of November, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of November, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of December, 1978, at the hour of 9:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-68

RESOLUTION NO. RLOST

RESOLUTION ENCOURAGING ST. JOSEPH'S
HOSPITAL OF FORT WAYNE, INC. TO
SEEK OTHER ALTERNATIVES THAN THE
DESTRUCTION OF HISTORICAL SIGNIFICANT
BUILDINGS IN THE WEST CENTRAL NEIGHBORHOOD

WHEREAS, St. Joseph's Hospital of Fort Wayne, Inc. has scheduled the demolition of all buildings presently existing on the north side of the 700 block of West Wayne Street for the purpose of erecting thereon a Parking Garage and Medical Office Building; and

WHEREAS, the buildings scheduled to be demolished are all presently used for residential purposes; and

WHEREAS, the buildings scheduled to be demolished are situated within the West Central Neighborhoo an area which constitutes one of the oldest and most beautiful remaining neighborhoods within the central core of the City and that we, as a Council, appreciate the need to maintain and preserve the City's residential neighborhood; and

WHEREAS, the West Central Neighborhood in general and the 700 block of West Wayne Street in particular contains buildings of an unique and significant architecutral and historical value and that we as a Council appreciate the architecural and historical value of these buildings:

NOW THEREFORE,

"BE IT RESOLVED that the Common Council of the City of Fort Wayne recommend and encourage St. Joseph's Hospital of Fort Wayne, Inc. to consider alternatives to the demolition and destruction of those residential buildings located in the 700 block of West Wayne Street in the City of Fort Wayne, Indiana."

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hunter and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Hunter, Moses, Stier, Talarico
Nays: One
Burns
Absent: Four
Hinga, Nuckols, D. Schmidt, V. Schmidt

Date: 11-28-78

Charles W. Westerman /ne
City Clerk

BILL NO. S-78-11-51

SPECIAL ORDINANCE NO. S-242-78

AN ORDINANCE approving an Agreement to
Purchase Real Estate from Marjorie Sauter
for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Tht the Agreement to Purchase Real Estate, dated November 13, 1978, between the City of Fort Wayne, by and thorugh its Mayor and Neighborhood Care, Inc., and Marjorie Sauter, for:

West 36 Ft. of Lot #174, Lassells Addition,

for the total cost of $4,950.00, all as more particularly set forth in said Agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and

is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-242-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-52

SPECIAL ORDINANCE NO. S-243-78

AN ORDINANCE approving blanket Civil City and City Utilities Purhcase Orders for purchase of tires and tubes for various departments of the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City and City Utilities Blanket Purchase Orders, numbered and listed below, dated November 8, 1978, between the City Purchasing Director, City Utilities Purchasing Agent, respectively, and the Board of Public Works and the following compaines for the purchase of tires and tubes to be used by the various departments of the City of Fort Wayne, Indiana, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things, ratified, confirmed and approved, respectively, to wit:

COMPANY	C.C.P.O#	C.U.P.O#
Allen County Tire	B405233	B0447
General Tire Corp.	B405234	B0448
Tire King Corporation	B405235	B0449
Associated Tires	B405236	B0450
Alter Brothers	B405237	B0451
McMahon Tire	B405238	B0452

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-243-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-53

SPECIAL ORDINANCE NO. S- 244-78

AN ORDINANCE approving blanket Civil City and City Utilities Purchase Orders for purchase of gasoline for various departments of the City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Civil City and City Utilities Blanket Purchase Orders, numbered and listed below, dated December 15, 1978, between the City Purchasing Director, City Utilities Purchasing Agent, respectively, and the Board of Public Works and the following companies for the purchase of gasoline to be used by various departments of the City of Fort Wayne, Indiana, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.C.P.O.#	C.U.P.O.#
Summit City Standard	B 405248	B0461
Smith Petroleum	B405249	B0462
Lassus Brothers	B405250	B0463
Superior Energy	B405251	B0464
Inland Oils	B405252	B0465
McIntosh Oil Co.	B405253	B0466

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-244-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-54

SPECIAL ORDINANCE NO. S-245-78

AN ORDINANCE approving Civil City
Purchase Order No. 4-05295 with
Poinsatte Leasing, Inc., for Lease of two
vehicles for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 405295, dated November 17, 1978, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Poinsatte Leasing, Inc., for:

two Four Wheel Drive vehicles, 1979 Trail Dusters, to
be leased for a two year period with option to purchase,
to be used by the Street Department,

at a total cost of $9,072.00, all as more particularly set forth in said Purchase Order which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-245-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-55

SPECIAL ORDINANCE NO. S-246-78

AN ORDINANCE approving a certain bid document for purchase of equipment for the Board of Public Safety's Traffic Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 863, dated November 1, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Eagle Signal Corporation, for:

a complete Radio Alarm Communications Center Control Console for the Board of Public Safety's Traffic Engineering Department,

at a total cost of $58,279.20, all as more particularly set forth in said bid document Ref. No. 863 and Purchase Order No. 403379ii, which are on file in the Office of the Department of Purchasing and by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-246-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-09

SPECIAL ORDINANCE NO. S-247-78

AN ORDINANCE approving an agreement with
Clyde E. Williams & Assoc., Inc. for the
Ardmore-Hillegas Street Corridor

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain agreement, dated October 23, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Clyde E. Williams & Assoc., Inc., for:

> consulting services required to complete a location study and report and prepare an environmental impact statement of four land urban arterial using the ArdmoreHillegas Street Corridor from Baer Field Expressway on the South to California Road on the North and thus offering direct access to U.S. 33, U.S. 30 and Interstate 69

all as more particularly set forth in said agreement which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-247-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of December, 1978, at the hour of 11:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-12-03

RESOLUTION NO. R-57-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Park Dept. unit no. 125, 1976 Pontiac, 2 door sedan License Plate #MO26400	$ 437.55	Hefner Chevrolet
2)	Police Dept. vehicle, 1978 Ford, 4 door sedan License Plate #MO12507	889.85	Allen County Motors
	TOTAL	$1,327.40	

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-57-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong

Mayor

BILL NO. R-78-12-04

RESOLUTION NO. R-58-78

A RESOLUTION authorizing payment to
various vendors for repair parts for
the Traffic Engineering Department

WHEREAS, the Traffic Engineering Department was in need of material and equipment, and insurance monies in reimbursment for such repair materials and equipment have been received and receipted by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the following companies the amounts set opposite them below, respectively, for furnishing such repair materials and equipment, upon receipt of proper vouchers from the City Traffic Engineer, to wit:

COMPANY	AMOUNT
Elliott Equipment Company	$1,000.00
Bell & Gustus, Inc.	2,072.56
Associated Systems, Inc.	1,838.00
Total	$4,910.56

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-58-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-12-05

RESOLUTION NO. R-59-78

A RESOLUTION authorizing the transfer
of funds within the 1978 Budget of the
Purchasing Department

WHEREAS, an EMERGENCY exists for the transfer of additional funds to Account No. 10-630725 "Office Equipment" of the 1978 Budget of the Purchasing Department, which transfer has been recommended by the City Controller;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the sum of $750.00 is hereby transferred from Account No. 10630362 "Stationery & Printing" and appropriated to Account No. 10630725 "Office Eequipment" of the 1978 Budget of the Purchasing Department.

SECTION 2. That the unappropriated and unexpended balance of Account No. 10630362 "Stationery & Printing" is hereby reduced in the amount of $750.00.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-59-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-11-18 (AS AMENDED)

RESOLUTION NO. R-61-78 (as amended)

A RESOLUTION of the Common Council of the
City of Fort Wayne Relating to a Five Year
Capital Improvement Program and One Year
Capital Budget

WHEREAS, public facilities and services have an impact upon the Fort Wayne Community; and

WHEREAS, an ongoing Capital Improvement Program and a capital budget could assist public facility and service programs; and

WHEREAS, a Capital Improvement PRogram is a guide for possible future capital projects; and

WHEREAS, a Capital improvement Program forecasts needs and resources available to the City for capital expenditures over a five year period; and

WHEREAS, a Capital Improvement Program is a management tool geared toward participating and updating local capital expenditure priorities;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, THAT THE COMMON COUNCIL:

SECTION 1. Encourages all City Departments to participate in the annual preparation of the Capital Improvement Program and Budget; and

SECTION 2. Supports the efforts of the Mayor, the Common Council, Capital Improvements Program Committee, the City Plan Commission, and the Department of Community Development and Planning in preparing both a five (5) year Capital Improvements Program and a one (1) year capital budget.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moes, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-61-78 (as amended) on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-10-33

ZONING MAP ORDINANCE NO. Z-29-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. I-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B and B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. I2, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

PARCEL I

Part of Third Commercial Addition, as recorded in Plat Book 4, page 48, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Lot #401 through Lot #410 inclusive in Third Commercial Addition, together with Lot #413 through Lot #425 inclusive in Third Commercial Addition, together with the vacated alley lying North of and adjacent to Lot #413 through Lot #425 in Third Commercial Addition, together with Lot #468 through Lot #456 inclusive in Third Commercial Addition, together with vacated Beadell Street lying north of and adjacent to Lot #468 through Lot #456 inclusive, together with Lot #469 through Lot #481 inclusive in Third Commercial Addition, together with 12 feet vacated alley lying North of and adjacent to Lot #469 through Lot #481 inclusive, together with Lot #516 through Lot #504 inclusive in Third Commercial Addition, together with the South half of vacated Graeter St. lying North of and adjacent to Lot #516 through Lot #504, together with Lot #517 through Lot #521 inclusive and the West 20 feet of Lot #522 in Third Commercial Addition, together with the North half of vacated Graeter Street lying South of and adjacent to Lot #517 through Lot #521 and the West 20 feet of Lot #522 in Third Commercial Addition, together with part of Lot "E" in Third Commercial Addition more particularly described as follows:

Beginning at a point on the South line of Lot "E" in Third Commercial Addition, said point being the intersection of the North right-of-way line of Tayor Street and the East right-of-way line of Freeman Street; thence East along the South line of Lot "E" a distance of 545 feet to a point on the West right-of-way line of Morris Street; thence North along the West right-of-way line of Morris Street a distance of 1218 feet; thence West and parallel to the South line of Lot "E" a distance of 369.6 feet; thence West on a curve to the left having a radius of 666.2 feet a distance of 177.67 feet to a point on the East right-of-way line of Freeman Street; thence South along the East right-of-way line of Freeman Street a distance of 1194.45 feet to the point of beginning, excepting therefrom a part of Lot E in Third Commercial Addition described as follows:

Beginning at a point on the South line of Lot E in Third Commercial Addition where said line intersects the West line of Morris Street, thence North along the West line of Morris Street a distance of 400 feet; thence West parallel to the North line of Taylor Street, a distance of 345 feet; thence South parallel to the West line of Morris Street to the North line of Taylor Street, thence East to the point of beginning.

PARCEL II

A part of Lot E, in Third Commercial Addition, described as follows:

Beginning at a point on the South line of Lot E in Third Commercial Addition where said line intersects the West line of Morris Street thence North along the West line of Morris Street a distance of 400 feet; thence West parallel to the North line of Taylor Street, a distance of 345 feet; thence South parallel to the West line of Morris Street to the North line of Taylor Street, thence East to the point of beginning.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Moses

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-29-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-28

SPECIAL ORDINANCE NO. S-248-78

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5816-1978, between the City of Fort Wayne, Indiana, and Dailey Asphalt Products Co., Inc. for resurfacing certain streets

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated October 16, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Co., Inc., for:

> resurfacing Creighton Avenue from Harrison Street to a point 100' West of West proptery line of South Wayne Avenue and Pontiac Street from the East pavement line of Pioneer to East curb line of Coliseum Blvd. South,

under Board of Public Works Street Improvement Resolution No. 58161978, at a total cost of $160,943.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-248-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-10-41 (as amended)

GENERAL ORDINANCE NO. G- 34-78 (as amended)

AN ORDINANCE amending Chapter 15
of the Code of the City of Fort Wayne,
Indiana of 1974

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 1513 "Employment under Municipal Contract", Article III, Chapter 15 of the Code of the City of Fort Wayne, Indiana of 1974 is amended to be and read as follows, to wit:

"Sec. 15-13 Same - Under Municipal Contract.

15-13-1 Definitions. As used in this Section, the following words have these meanings:

a. The terms "discriminates", "discriminating", "discriminatory" mean and include:

(1) to promote segregation or separation in any manner, to treat any person differently, or to exclude from or fail or refuse to extend to any person equal opportunities with respect to hiring, termination, compensation, or other terms, conditions or privileges of employment, because of the race, religion, sex, color, national origin or handicap of any such person;

(2) also, to fail to make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped employee;

(3) also, to fail to make reasonable accommodation to the religious observance or practice of any employee or prospective employee unless the employer can demonstrate that the accommodation would impose an undue hardship on the conduct of the employer's business;

(4) also, to make, print or publish, or cause to be made, printed or published any notice, statement, or advertisment with respect to employment that indicates a preference, limitation, specification or discrimination based on race, sex, religion, color, national origin or handicap;

(5) the following practices are not included in the meaning of "discrimination":

(a) for any not-for-profit association, incorporated or otherwise, organized exclusively for fraternal or religious purposes, to devote its resources to its own religion or denomination, or to give employment preference to its own members;

(b) for any not-for-profit association, incorporated or otherwise, established for the purpose of offering or providing education, training or other social services and benefits to handicapped persons, to devote its resources to such handicapped persons or to give a preference to handicapped persons with respect to such education, training or social services and benefits.

b. The term "handicap" means and includes:

(1) any physical or mental impairment which substantially limits one or more of a person's major life activities; or

(2) a record of such an impariment, and includes;

(3) a person who is regarded as having such an impairment; provided that,

(4) this term does not include drug or alcohol abuse or addiction.

c. The term "obstruct" means and includes the actions of any person knowingly obstructing the fair and lawful enforcement of this Article of this Chapter by coercing or intimidating any complainant or prospective complainant, or any witness to any act of discrimination as defined herein, after such person has received actual notice of a discrimination charge or has been served notice of a complaint filed.

d. The term "retaliate" means and includes the actions of any person in discriminatiing against any other person with regard to, or denying any other person access to or opportunities in employment, because any such other

person has opposed any practice made unlawful by this Article of this Chapter, or because such other person has made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under this Article of this Chapter.

15-13-2 Mandatory Covenants. Every contract for or on behalf of the City of Fort Wayne for the construction, alteration or repair of any public building or public work or the performance of any other work or service shall contain provisions by which the contractor agrees, as follows:

a. That in the performance of work under such contract or any subcontract thereunder, the contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor, will not discriminate against any person who is qualified and available to perform the work to which the employment relates.

b. That such contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor will not obstruct the enforcement of this Article of this Chapter.

c. That such contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor will not retaliate against any person.

15-13-3 Enforcement. Enforcement of this Article of this Chapter shall be through order of the Board of Public Works, in the following manner:

a. Whenever any member of the Board of Public Works, or whenever the Affirmative Action Officer who is assigned to help watch over public contracts has reason to believe that any of the provisions hereof have been violated, the matter may be referred to the Metropolitan Human Relations Commission for investigation and initiation of discrimination charges against the contractor or subcontractor. Cases over which the Commission has no jurisdiction shall be investigated by said Affirmative Action Officer.

b. A final order of the Metropolitan Human Relations Commission shall be forwarded to the Board of Public Works, which may invoke one of the remedies set forth in Sub Section 15-13-4 hereof. If it is a matter over which the Metropolitan Human Relations Commission has no jurisdiction, the Board of Public Works shall conduct a hearing to determine whether there has been a breach of this Article of this Chapter. In so doing, the Board may call upon the Commission for consultation.

15-13-4 Remedies. Upon finding that a contractor or sub-contractor or any person acting on behalf of such contractor or subcontractor has violated a provision or provisions of this Article of this Chapter, whether discriminating, obstructing, retaliating, or otherwise, the Board of Works may:

a. Deduct from the amount payable to the contractor by the City of Fort Wayne under such contract a penalty of no less than ten dollars ($10.00) per day, per violation, nor more than one thousand dollars ($1,000.00)

per day, per violation. Each day on which a continuing violation exists, shall be deemed a separate offense; or,

b. The Board of Works may cancel or terminate the contract, and all money due or to become due thereunder may be forfeited. for a second or any subsequent violation of this article of this Chapter.

SECTION 2. That Chapter 15, Article III, of the Code of the City of Fort Wayne, Indiana of 1974 is further amened by adding thereto a new section 1513A, which shall be and read as follows, to wit:

"Sec. 15-13A. A verbatim copy of Sec. 15-13 may be attached as an exhibit to and incorportated in and made a part of any contract made by or on behalf of the City of Fort Wayne, Indiana for any public work; which shall constitute compliance with Sec. 15-13-2."

SECTION 3. That General Ordinance No. 6066, heretofore adopted on May 10, 1966 is hereby repealed.

SECTION 4. That this Ordinance shall be effective upon passage, approval by the Mayor, and due legal publication hereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-34-78 (as amended) on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-63

SPECIAL ORDINANCE NO. S-249-78

AN ORDINANCE approving blanket City Utilities Purchase Order Nos. B-0468 to B-0478, inclusive, for purchase of chemicals for Three Rivers Filtration Plant and Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Blanket Purchase Orders, numbered and listed below, dated November 14, 1978, between the City Utilities Purchase Agent and the Board of Public Works and the following companies for the purchase of chemicals for Three Rivers Filtration Plant and Water Pollution Control Plant, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.U.P.O.#
Missippi Lime Company	B0468
Marblehead Lime	B0469
Ulrich Chemical, Inc.	B0470
Husky Industries, Inc.	B0471
Cities Service Co.	B0472
HergertVerkampCalvert Chemical Co.	B0473
FisherCalo Chemicals & Solvents	B0474
Ulrich Chemical, Inc.	B0475
Ulrich Chemical, Inc.	B0476
Ulrich Chemical, Inc.	B0477
Ulrich Chemical, Inc.	B0478

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-249-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong, Mayor

BILL NO. S-78-11-64

SPECIAL ORDINANCE NO. S- 250-78

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0339 for equipment for Water Maintenance and Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B0339, dated November 13, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Mueller Company, for:

purchase of an estimated 150 fire hydrants (Mueller A429)
for the Water Maintenance and Service Department

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-250-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-65

SPECIAL ORDINANCE NO. S-251-78

AN ORDINANCE approving City Utilities Purchase Order No. 0460 with All Phase Electric for materials for Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0460, dated November 13, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and All Phase Electric for:

100,000 feet of aluminum wire to be used for stock
and maintenance for the year 1979 by the City Street
Lighting Department for street light installations
and repair,

at a cost of $14,500.00, all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-251-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-66

SPECIAL ORDINANCE NO. S-252-78

AN ORDINANCE approving a blanket
purchase order - City Utilities Purchase
Order No. B-0479 for equipment for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B0479, dated November 14, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Rockwell International Meter, for:

purchase of various types of water meters to be used
by the Water Maintenance & Service Department,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-252-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-78-12-19

RESOLUTION NO. R-60-78

RESOLUTION ENCOURAGING ST. JOSEPH'S HOSPITAL OF FORT WAYNE, INC. TO SEEK OTHER ALTERNATIVES THAN THE DESTRUCTION OF HISTORICAL SIGNIFICANT BUILDINGS IN THE WEST CENTRAL NEIGHBORHOOD

WHEREAS, St. Joseph's Hospital of Fort Wayne, Inc. has scheduled the demolition of all buildings presently existing on the north side of the 700 block of West Wayne Street for the purpose of erecting thereon a Parking Garage and Medical Office Building; and

WHEREAS, the buildings scheduled to be demolished are all presently used for residential purposes; and

WHEREAS, the buildings scheduled to be demolished are situated within the West Central Neighborhood, an area which constitutes one of the oldest and most beautiful remaining neighborhoods within the central core of the City and that we, as a Council, appreciate the need to maintain and preserve the City's residential neighborhood; and

WHEREAS, the West Central Neighborhood in general and the 700 block of West Wayne Street in particular contains buildings of a unique and significant architectural and historical value and that we as a Council appreciate the architectural and historical value of these buildings:

NOW THEREFORE,

"BE IT RESOLVED that the Common Council of the City of Fort Wayne recommend and encourage St. Joseph's Hospital of Fort Wayne, Inc. to consider alternatives to the demolition and destruction of those residential buildings located in the 700 block of West Wayne Street in the City of Fort Wayne, Indiana."

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-60-78 on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

BILL NO. X-78-11-49 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-03-78 (as amended)

AN ORDINANCE annexing certain territory
to the City of Fort Wayne, and including
the same in Councilmanic District No. 3,
effective December 31, 1979.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979, towit:

Beginning at the Northeast Corner of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 31, North, Range 12 East; thence Westerly along the South line of the North 1/2 of the North 1/2 of said Sections 13 and 14 to the West right-of-way line of the Penn Central Railroad Company's right-o-way; thence South along said West right-of-way to the North right-of-way line of Interstate 69; thence in a Northeasterly direction along the North right-of-way line of Interstate 69 to the centerline of Ludwig Road, assumed common with the East-West centerline of said Section 14; thence East along the centerline of said Section 14 and 13 to the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence North along the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 13 to the point of beginning.

the above described area containing approximately 200 acres.

SECTION 2. The following services will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation; police protection, fire protection, emergency medical services, street and road maintenance, solid waste collection, and traffic engineering.

SECTION 3. Additional services of an intangible nature which will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation include: services of the Office of the Mayor; Department of Finance; Redevelopment Commission; the Common Council; Community Development and Planning; Metropolitan Human Relations Commission and all other administrative branches of the City of Fort Wayne.

SECTION 4. That, upon petition to the Board of Public Works, City sewer, water and drainage shall be provided in accordance with relevant state law and existing City and City Utilities policies. Street lighting, street reconstruction, and park services, will be provided in conformance to existing policies, relevant state laws and upon petition when applicable.

SECTION 5. All governmental and proprietary services of the City of Fort Wayne that are to be provided the above described territory immediately upon annexation, as stated in this ordinance, will be furnished to the said described territory in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics to topography, patterns of land utilitzation and population density similar to said described territory.

SECTION 6. Governmental and propietary services of the City of Fort Wayne that are not to be provided immediately, or in a manner otherwise described herein, will be provided to the above described area within aperiod of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 7. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Dvelopment and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 8. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 9. After its passage, approval by the Mayor, final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect on December 31, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Hunter, D. Schmidt

Date: 12-12-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-03-78 (as amended) on the 12th day of December, 1978.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1978, at the hour of 11:45 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of December, 1978, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-11-10

SPECIAL ORDINANCE NO. S-01-79

AN ORDINANCE approving a Consultant Agreement with Clyde E. Williams & Associates, Inc, on Lake Avenue, Rudisill Blvd., Bluffton Road & Crescent Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Consultant Agreement, dated November 6, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Clyde E. Williams & Associates, Inc., for:

> consulting services required to prepare an environmental impact statement or negative declaration on Lake Avenue, Rudisill Blvd., Bluffton Road and Crescent Avenue, whichever becomes applicable to each project, in compliance with procedures and requirements of the Federal Highway Administration and the Indiana State Highway Commission's approved action plan,

al as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-01-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-01

SPECIAL ORDINANCE NO. S-02-79

AN ORDINANCE approving a contract for Improvement Resolution No. 5822-78, between the City of Fort Wayne, Indiana and Martin, Inc. for demolition of buildings

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 22, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Martin, Inc., for:

demolition of buildings and structures and clearing site at Police Garage and CETA Buildings at 324 East Berry Street.

under Board of Public Works Improvement Resolution No. 58221978, at a total cost of $6,950.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-02-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-01-07

RESOLUTION NO. R-01-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and recipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	EMS Vehicle #8, 1975 Dodge Van License Plate #MO25365	$ 238.50	DeWells Body Shop
2)	Police Dept. vehicle 1969 Ford, 2Door Sedan License Plate #47C1251	290.00	Allen County Motors
3)	EMS Vehicle #10, 1975 Dodge Van License Plate #MO 29218	167.90	DeWells Body Shop
4)	Police Dept. vehicle 4 door sedan License Plate #11103	558.35	Northway Chrysler Plymouth
5)	Police Dept. vehicle #5 1078 Ford 4 Door Sedan License Plate #11105	1,518.65	Allen County Motors
6)	Fire Dept. vehicle #224 1975 Mack pumper	735.00	Truck Transport Equipment Co.
	Total	$3,508.40	

NOW, THEREFORE BY IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair works as set out above.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-01-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-19

ZONING MAP ORDINANCE NO. Z-01-79

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. L-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Violet Court Addition, Lots 3 thru 36; C.D. Bonds Addition, Lots 1 and 12; LaJolla Court Addition, Lots 1 thru 9 and the East 30 feet of Lot 10; Hallers Addition, Lots 4 thru 24; Morton Place Addition, Lots 15 thru 46 and 48 thru 65; Frank B. Taylor Addition, Lots 1 thru 6 and 7 thru 11 and R.S. & F. W. Taylor Addition, Lot 5.

SECTION 2. That this Ordinance shall become effective upon passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-01-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-20

ZONING MAP ORDINANCE NO. Z-02-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-3 & L-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L3 & L7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Beechwood 2nd Addition Lots 1 thru 10;

Beechwood Amended Addition Lots 29 thru 37; and

Amended Beechwood 1 thru 7

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-02-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-22

ZONING MAP ORDINANCE NO. Z-03-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 1-26

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 126, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of the southeast quarter of the northeast quarter of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, more particularly described as follows:

Commencing at the intersection of the north line of the southeast quarter of the northeast quarter of said Section 28 and the west rightofway line of the G.R. & I. (PennCentral) Railroad; thence in a southerly direction along the west rightofway line of said G.R. & I. Railroad a distance of 945.53 feet, to the northeasterly rightofway line of Goshen Road; thence in a northwesterly direction along said northeasterly rightofway line of Goshen Road, a distance of 1282.50 feet. to the north line of the southeast quarter of the northeast quarter of said Section 28; thence in an easterly direction along said north line of the southeast quarter of the northeast quarter of Section 28, a distance of 841.14 feet, to the point of beginning, containing 9.126 acres.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-03-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-57

ZONING MAP ORDINANCE NO. Z-04-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Block bounded Cottage, Indiana, South Wayne & Wildwood, Block bounded by Wildwood, Indiana, Kinnaird & South Wayne. Onehalf block area bounded by Kinnaird, South Wayne, Indiana, & the first EW alley North of Cottage. Onehalf block bounded by Cottage, Beaver, Indiana and the first EW alley South of Cottage.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-04-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-58

ZONING MAP ORDINANCE NO. Z-05-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-30

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M30, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Beginning at the Northwest corner of said Block A, said corner being marked by an iron pin found; thence East along the South rightofway line of Collins Road 662.0 feet to an iron pin found, said pin being located 370.0 feet West of the Northeast corner of said Block; thence South by a deflection right of 90 deg. 00 min. 00 sec., 475.5 feet to a point on the South line of said Block, said point being marked by an iron pin set and being 320.0 feet West of the Southeast corner of said Block; thence West by a deflection right of 90 deg. 00 min. 00 sec., along the South line of said Block 665.0 feet to the Southwest corner of said Block, said corner being marked by an iron pin set; thence North along the West line of said Block and by a deflection right of 90 deg. 22 min. 00 sec. 475.5 feet to the point of beginning, containing 7.24 acres more or less and being subject to all legal easements of record.

SECTION 2. That this Ordinance shall be effective upon passage. approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-05-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-61

ZONING MAP ORDINANCE NO. Z-06-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. R14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

the North 206 feet of Lot 33 in J. H. Feichter's Gardenview Addition, South of State Street right ofway, Fort Wayne, Allen County, Indiana.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-06-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-10-34

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-10

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L10, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

the West 45' of Lot No. 13 and the South
10' of the West 50.0 feet of Lot No. 14
all in the Barthold's Addition to the
City of Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Absent: One D. Schmidt
Date: 1-9-79

Charles W. Westerman
City Clerk

BILL NO. Z-78-11-59

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B4 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974, and the symbols of the City of Fort Wayne Zoning Map No. M11, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot No. 3 in Freimons Sub. (excluding the North 1 foot)
more commonly known as 3810 South Lafayette.

SECTION 2. That this Ordinance shall be effective upon passage. approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

BILL NO. Z-78-11-60

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-15

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L15, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

the West 40' of Lot #151 in Fairmount Place Addition,
more commonly known as 511 Clermont Drive.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

BILL NO. G-78-10-06

GENERAL ORDINANCE NO. G-02-79

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of a
certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

Garden Road as platted in Block "A" & "B" in George
Ashley Homestead to the City of Fort Wayne, Indiana
(being part of the DeRome Reserve in Section 17, Town
ship 31 North, Range 13 East)

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-02-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-07

SPECIAL ORDINANCE NO. S-03-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5821-78,
between the City of Fort Wayne, Indiana
and Rieth-Riley Construction Co., Inc. for
resurfacing a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 22, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and RiethRiley Construction Co., Inc., for:

resurfacing and restoring pavement on Broadway Avenue
from south property line of Creighton Avenue to a
point 151' south of Rudisill Boulevard,

under Board of Public Works Street Improvement Resolution No. 58211978, at a total cost of $219,103.45, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-03-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-12-08

SPECIAL ORDINANCE NO. S-04-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5820-78
between the City of Fort Wayne, Indiana
and Wayne Asphalt & Construction Co., Inc.
for resurfacing Broadway Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 22, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Wayne Asphalt & Construction Co., Inc., for:

resurfacing Broadway Avenue from the north property line
of Berry Street to the south property line of Creighton
Avenue,

under Board of Public Works Street Improvement Resolution No. 58201978, at a total cost of $221,729.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-04-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-09

SPECIAL ORDINANCE NO. S-05-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0495 with General
Electric Company for equipment for
City Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0495, dated November 21, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

100 Sodium Regular Ballast Power Doors for City Street
Lighting Department

at a cost of $7,900.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasings and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-05-79 on the 9th day of January, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-10

SPECIAL ORDINANCE NO S-06-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0494 with Indiana
Office Systems, Inc. for equipment for
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0494, dated November 21, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Indiana Office Systems, Inc., for:

one Sperry Remington KardVeyer 300 for the Water Maintenance
and Service Department

at a cost of $4,883.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-06-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-12-12

SPECIAL ORDINANCE NO. S-07-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0309 with General
Electric Supply for materials for the City
Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0390, dated November 28, 1978, between

the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Supply, for:

100,000 feet of #12 Copper Wire in 500' coils
stranded for the City Street Lighting Department

at a cost of $2,959.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-07-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-13

SPECIAL ORDINANCE NO. S-08-79

AN ORDINANCE approving Change Order No. 1
in connection with Street Lighting Improvement
Resolution No. 131-78

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to T & F Construction Corp., in connection with Street Lighting Improvement Resolution No. 13178, for:

moving certain street lights to the residential side of the
street to avoid utility conflicts and also to accommodate
request by the Lakewood Park Association,

in the amount of $1,141.90, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: NOne
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-08-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-12-14

SPECIAL ORDINANCE NO. S-09-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0503 with Henry
Electric Company, Inc. for materials
for Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0503, dated November 27, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Henry Electric Company, Inc., for:

installation of approximately 117' of three inch rigid
steel conduit with PVC coating from Boiler Room Base
ment Water Pollution Control Plant to GT manhole
South Park strip of Dewenger Avenue,

at a cost of $3,200.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: NOne
Absent: One
D. Schmit

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-09-79 on the 9th day of January, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-15

SPECIAL ORDINANCE NO. S-10-79

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0500 for supplies for Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B0500, dated November 22, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Cummins Printing Company, Inc., for:

purchase of envelopes for 1979 and letterheads, blue and gold on Gilbert Bond for the Office Services Dept.,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: NOne
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Or dinance No. S-10-79 on the 9th day of January, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-12-16

SPECIAL ORDINANCE NO. S-11-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0522 with Transmission
& Fluid Equipment for equipment for the
Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0522, dated November 30, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Transmission & Fluid Equipment, for:

link belt parts for conveyor feeder belonging to the
Three Rivers Filtration Plant,

at a cost of $2,281.30, all as more particularly set forth in said Purchase Order, which is on file in the Offic of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, Nuckols, V. Schmdit, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-11-79 on the 9th day of January, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-78-12-17

SPECIAL ORDINANCE NO. S-12-79

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 303-78, between the City of Fort Wayne, Indiana and Spears-Dehner, Inc. for installation Monarch Park storm drain

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated November 22, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and SpearsDehner, Inc., for:

STORM DRAIN

Beginning at a point along a property line being 200 ± L.F. South of and parallel to the centerline of Monarch Drive 5 ± L.F. West of the Southeast corner of Lot #26 in Monarch Park Section C as recorded in Plat Book 31, Page 41; thence Eastward along said property line a distance of 1391 ± L.F. to a point located on the Southeast corner of Lot #98 of Monarch Park Section B as recorded in Plat Book 28, Page 146. Said storm drain shall be constructed along the aforementioned line in accordance with the plans, profiles, and specifications now on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and shall be used for storm water purposes only.

under Board of Public Works Sewer Improvement Resolution No. 3031978, at a total cost of $134,548.22, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-12-79 on the 9th day of January, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-18

SPECIAL ORDINANCE NO. S-13-79

AN ORDINANCE approving an Agreement
Marlin R. Jones and G. Michael Axson for
construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated November 22, 1978, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Marlin R. Jones and G. Michael Axson, for:

SANITARY SEWER

Beginning at an existing manhole located at the Northwest corner of Lot #11 of the Villas of the Marketplace, St. Joseph Township, Allen County, Indiana; thence Westerly 130 ± feet to a propos manhole #2; thence West 420 ± feet to and terminating at a proposed manhole #3 located 175 ± feet East and 15 ± feet South of the intersection of Terry Land and St. Joe Road,

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman
seconded by Talarico

Read the third time in full and on motion by Burns and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-13-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. G-78-12-02

GENERAL ORDINANCE NO. G-01-79

AN ORDINANCE AUTHORIZING THE CITY
OF FORT WAYNE, INDIANA TO ENTER INTO
A CONTRACT FOR PRODUCTION OF SUPPLEMENTS
TO THE CODE OF THE CITY OF FORT WAYNE,
INDIANA OF 1974

Heretofore the City of Fort Wayne, Indiana entered into a contract with the Michie Company for the preparation of The Code of the City of Fort Wayne, Indiana of 1974 and supplements thereto;

The Michie Company proceeded to produce for the City of Fort Wayne said Code, but has advised the City Clerk of Fort Wayne, Indiana that they will be unable to produce supplement to or other subsequent supplements to said Code because they are curtailing their City Code operations;

The City Clerk's office has investigated other Code publication companies and has ascertained that Municipal Code Corporation whose headquarters is in Tallahassee, Florida presents the best offer to produce said supplemental service to said Code.

THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The City of Fort Wayne is hereby authorized to enter into a contract with Municipal Code Corporation, a Tallahassee, Florida corporation, Tallahassee, Florida for the production of loose supplements containg new Ordinances of a general and permanent nature enaacted by the Common Council of the City of Fort Wayne, Indiana; said supplements to be produced on a quarterly basis depending upon requirements of the City of Fort Wayne, Indiana, all in accordance with proposal of Municipal Code Corporation of Tallahassee, Florida, copy of which proposal is submitted herewith and made a part of this Ordinance.

SECTION 2. The Mayor of the City of Fort Wayne, Indiana and the City Clerk of the City of Fort Wayne, Indiana are hereby authorized to sign and attest said Contract with said Municipal Code Corporation, Tallahassee, Florida.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 1-9-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-01-79 on the 9th day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 18th day of January, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-02

SPECIAL ORDINANCE NO. S-14-79

AN ORDINANCE approving a contract with
Anglin Companies for work and improvements
on The Wheeler Street Park (northeast
corner of Wheeler and Runnion Sts.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated October 20, 1978, between Neighborhood Care, Inc. and Anglin Companies for work and improvements to be performed upon the real estate commonly known as the Wheeler Street Park, located at the northeast corner of Wheeler and Runnion Streets, Fort Wayne, Indiana, at a total cost of $26,141.00. all as more particularly set forth in said contract which is on file in the Office of Community Development and Planning and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico, Stier
Nays: NOne

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-14-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-04

SPECIAL ORDINANCE NO. S-15-79

AN ORDINANCE approving a Contract between
Ron Reinking and Community Development and
Planning to perform audit

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated December 15, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and Community Development and Planning and Ron Reinking, for:

audit CD&P's Year 1 and Year II CD Block Grants from
June 30, 1978 through December 31, 1978, and to analyze
CD&P's Year III books for continuity with HUD
regulations,

at a total cost of $2,350.00 (in Federal Block Grant Funds), all as more particularly set forth in said contract, which is on file in the office of Community Development and Planning and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hings, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Sti er, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-15-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-05

SPECIAL ORDINANCE NO. S-16-79

AN ORDINANCE approving an agreement
between Community Development and
Planning and Neighborhood Care, Inc.
and various Local Development Corporation

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain Agreement, dated December 8, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and Community Development and Planning and Neighborhood Care, Inc. and the three newly formed Local Development Corporations, for:

establishment of the method by which Local
Development Corporations loan funds are
channelled to small businesses,

all as more particularly set forth in said Agreement which is on file in the office of Community Development and Planning and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-16-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-06

SPECIAL ORDINANCE NO. S-17-79

AN ORDINANCE approving a contract
between Community Development and
Planning's Neighborhood Care Division
and the Fort Wayne Urban League

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 1, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and Commuity Development and Planning's Neighborhood Care Division and the Fort Wayne Urban League, for:

administration of the Innovative Grant
No. B765118001, known as Cooperative
Parenting Concept,

all as more particularly set forth in said contract which is on file in the office of Community Development and Planning and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-17-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

ILL NO. R-79-01-21

RESOLUTION NO. R-02-79

A RESOLUTION authorizing the temporary advancement of funds from the Revenue Sharing Trust Fund, Motor Vehicle Highway Fund, and Local Road & Street Fund to the General Fund for the period ending December 31, 1979

WHEREAS, it has become necessary to brorrow money to enchance the depleted General Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of Revenue Sharing Trust Fund, Motor Vehicle Highway Fund, and Local Road & Street Fund of the City of Fort Wayne which can be temporarily advanced or transferred to said General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne be and is hereby authorized to transfer the sum of $3,900,000.00 to the General Fund from the following Funds if and when needed:

Revenue Sharing Trust Fund	$2,500,000.00
Motor Vehicle Highway Fund	400,000.00
Local Road & Street Fund	1,000,000.00
Total of Transfer	$3,900,000.00

which said sum shall be returned said repaid to the aforementioned funds on or before December 31, 1979.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hings, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-02-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-01-22

RESOLUTUION NO. R-03-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursent for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. No. 33, 1978 Ford, 4 door sedan License No. 11133	$ 470.15	Allen County Motors
2)	Police Dept. unit No. 11, 1978 Ford, 4 door sedan License No. MO11111	869.70	Northway Chrysler Plymouth
	TOTAL	$1,339.85	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicles repair work as set out above.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-03-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January,

1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-10-32

ZONING MAP ORDINANCE NO. Z-07-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. I-26

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. I26, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

a part of the Northwest 1/4 of the Northeast 1/4 of Section 28, Township 31 North of Range 12 East, viz: Commencing at the Southeast corner of said 40 acre tract; thence west along the south line of the same 19 & 84/100 chains to the Southwest corner of same, thence north 4 & 98/100 chains, thence east parallel with south line 19 & 84/100 chains to the east line, thence south 4 & 98/100 chains to beginning, containing 9.89 acres, in Allen County, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, HUnter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-07-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-11-21

ZONING MAP ORDINANCE NO. Z-08-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. P-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as a PERFECT TO A B1B CLASSIFICATION District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana 1974; and the symbols of the City of Fort Wayne Zoning Map No. P2, referred to therein, established by Scetion 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 1, 2, 3, 4, 5 and 6 in Vordermark's Addition to
the City of Fort Wayne, Indiana

SECTION 2. That this Ordinance shall become effective upon passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-08-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-12-11

SPECIAL ORDINANCE NO. S-18-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0490 with Allen
County Motors, Inc. for vehicles for
the Meter Reading Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0490, dated November 17, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Allen County Motors, Inc., for:

two Ford Fairmont Station Wagons for the Meter Reading Department,

at a cost of $8,413.40, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-18-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-12

SPECIAL ORDINANCE NO. S-19-79

AN ORDINANCE approving a contract for
Water Contract No. 78-XP-2 between
the City of Fort Wayne, Indiana and the
Orchard Ridge Country Club for
construction of a water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated December 21, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and the Orchard Ridge Country Club, for:

construction of 2760 ± LF of 16" ductile iron water main west of the Lower Huntington Road-Ardmore Avenue intersection, to serve the Orchard Ridge Country Club,

under Board of Public Works Water Contract #78XP02, at a total cost of $91,870.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-19-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-13

SPECIAL ORDINANCE NO. S-20-79

AN ORDINANCE approving Change Order No. 5
in connection with Contract No. 77-W-1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 5 to Hagerman Construction Corporation, in connection with Contract No. 77W1, Water Works Improvement Washwater Retention Basin, for:

addition of catch basin, corrugated metal pipe (CMP) discharge line with end section at east end of pavement to intercept runoff and carry it to the river,

in the amount of $385.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-20-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-14

SPECIAL ORDINANCE NO. S-21-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0720 with V. R. Myers
Pump for equipment for the Water Maintenance
& Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0720, dated December 15, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and V.R. Myers Pump, for:

100 28" Charlotte valve boxes and 25 18" Charlotte
valve boxes for Water Maintenance & Service Department,

at a cost of $3,320.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-21-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-15

SPECIAL ORDINANCE NO. S-22-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0715 with I.B.M.
Corporation for lease of equipment
for Data Processing Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0715, dated December 13, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and I.B.M. Corp., for:

leasing of one IBM 3350 Model B2 direct access storage
device for twentyfour months for Data Processing Dept.,

at a cost of $1,035.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-22-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-16

SPECIAL ORDINANCE NO. S-23-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0546 with Double
Envelope for supplies for the Office
Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0546, dated December 8, 1978, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Double Envelope for:

various printed envelopes for the various departments
being serviced by Office Services Department,

at a cost of $12,247.50, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-23-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-78-01-17

SPECIAL ORDINANCE NO. S-24-79

AN ORDINANCE approving Change Order No. 1
in connection with Sewer Resolution No.
297-1977

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to SpearsDehner, in connection with Sewer Resolution No. 29877, RothmanMaplecrest Roads, Sanitary Sewer Interceptor, for:

additional backfill, field tile replacement, cement lining and rip rag, due to fluid ground conditions throughout the project and also due to trench width,

in the amount of $25,255.00, as set out in the specfications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-24-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-01-18

GENERAL ORDINANCE NO. G-03-79

AN ORDINANCE granting a non exclusive
franchise to provide cable television
service to the area known as Canterbury
Green and environs in the City of Fort Wayne

WHEREAS, the City of Fort Wayne has previously adopted General Ordinance No. G27-77 providing for the establishment of a cable communications system in the City of Fort Wayne, which existing ordinance is incorporated herein by reference, and which ordinance became effective on July 26, 1977; and

WHEREAS, prior to January 1, 1976, Citizens Cable of Allen County, Inc. had constructed cable television facilities and a cable television system, and was furnishing cable television service, to the areas known as Canterbury Green and Shoaff Park River Estates being bounded on the East by St. Joe Road, on the North by Shoaff Park , on the West by the St. Joseph River, and on the South by the IndianaPurdue University of Fort Wayne; and

WHEREAS, on January 1, 1976, the said areas described above were annexed to the City of Fort Wayne, and Citizens Cable of Allen County, Inc. has continued to provide cable television service to said areas and now seeks to obtain a nonexclusive franchise under and pursuant to General Ordinance No. G2777, to permit it to continue to furnish such service to the area, and

WHEREAS, the existing cable system of Citizens Cable of Allen County, Inc. surrounds the area in the City known as the Fort Wayne State School and the area bounded by St. Joe Center Road, Evard Road and St. Joe Road, and Citizens Cable of Allen County, Inc. is willing to serve these areas; and,

WHEREAS, Citizens Cable of Allen County, Inc. now seeks a nonexclusive franchise under Ordinance G2777, to serve said areas; and

WHEREAS, Citizens Cable of Fort Wayne, Inc., the franchisee under Ordinance G2777, has consented to the granting of the franchises sought by Citizens Cable of Allen County, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. Citizens Cable of Allen County, Inc. is hereby granted a nonexclusive franchise to provide cable television service utilizing its facilities and system to the areas known as Canterbury Green and Shoaff Park River Estates, being bounded on the East by St. Joe River, and on the South by IndianaPurdue University of Fort Wayne, and to the Fort Wayne State School and to the area

bounded by St. Joe Center, Reed Road, Evard Road and St. Joe Road, all of which areas are so delineated on a Section Map of Allen County which is attached to this Ordinance as "EXHIBIT A" and which is incorporated herein by reference, which franchise shall be subject to the applicable terms and conditions of General Ordinance No. G2777 (an Ordinance providing for the establishment of a cable communications system in the City of Fort Wayne), which General Ordinance No. G2777 is incorporated herein by reference.

SECTION 2. The initial rate structure to be charged by Citizens Cable of Fort Wayne, Inc. to its customers in the franchise area shall be set forth on the "Rate Structure-Citizens Cable of Allen County, Indiana, Inc." which is attached to this Ordinance as "EXHIBIT B" and which is incorporated herein by reference, provided that rates charged to customers in the Fort Wayne State School area bounded by St. Joe Center Road, Reed Road, Evard Road and St. Joe Rd. shall conform to rates charged by Citizens Cable of Fort Wayne, Inc. to its customers within the City of Fort Wayne.

SECTION 3. The franchise granted hereby is limited to the areas above described and shall not be construed to encompass any other part of the City of Fort Wayne. It is recognized that Citizens Cable of Allen County, Inc. also serves subscribers located outside the franchised area, and outside the limits of the City of Fort Wayne, and payments to be made to the City under Article VIII (Rates and Franchise Payments) of General Ordinance No. G2777 shall be based only upon Citizens Cable of Allen County, Inc. receipts from its customers within the area franchised hereby. Because this franchise is limited to a relatively small area, the following portions of General Ordinance No. G2777 shall not apply: III E; V A (3); V D (2) so long as Citizens Cable of Allen County, Inc. maintains its present office and telephone listing in the City of New Haven, Indiana; VF: VII N: XI; and XIV.

SECTION 4. This Ordinance shall take effect from and after its passage and approval by the Mayor, and after Citizens Cable of Allen County, Inc. shall file its written acceptance of same and its agreement to be found by and comply with all of the applicable requirements of General Ordinance No. G2777.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-23-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-03-79 on the 23rd day of January, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1979, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-20

SPECIAL ORDINANCE NO. S-25-79

AN ORDINANCE approving Change Order
No. 3 in connection with "The Landing"

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 to Brooks Construction Co., Inc. in connection with Improvement Resolution No. 579678, "The Landing", for:

reinforcement of the basement walls of several structures on "The Landing" which were judged by project engineer to be structurally unsafe in order to proceed with original plans,

in the amount of $13,790.03, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-25-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-02

RESOLUTION NO. R-04-79

A RESOLUTION authorizing payment to
various agencies for repair of various
vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. unit No. 33, 1978 Ford 4 door sedan License Plate #MO11133	$ 86.00	Allen County Motors
2)	Police Dept. unit No. 17 1977 Plymouth 4 door sedan License Plate #MO11117	750.00	Allen County Motors
3)	Street Dept. unit No. 259, 1975 Ford Truck License Plate #MO24413	456.95	Allen County Motors
4)	EMS unit No. 10, 1975 Dodge Van License Plate #MO25028	372.41	Auto Collision Service
5)	Police Dept. unit No. 5 1978 Ford 4 door sedan License Plate #11105	174.50	Northway Chrysler
6)	Traffic Engineering unit No. 23 1976 Fort Van License Plate #MO0	89.48	Dave McIntire Ford
		TOTAL $1,929.34	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resoltuion shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-04-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-01-26 (AS AMENDED)

RESOLUTION NO. R-05-79

A RESOLUTION approving Section 8
Existing Project

WHEREAS, The Housing Authority of the City of Fort Wayne, Indiana, (hereinafter called "Housing Authority"), proposes to operate a project under the Housing Assistance Payments Program of Section 8 Exisiting Housing of the United States Housing Act of 1937 as amended (hereinafter called "U.S. Housing Act"); and

WHEREAS, pursuant to Indiana's Housing Authorities Act as amended, the Housing Authority may not initiate a project until it is approved by the local governing body which activated the Housing Authority.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a project, which will be operated by the Housing Authority pursuant to the Housing Assistance Payments Program of Section 8 of the U.S. Housing Act and which will include assistance on behalf of up to approximately 702 eligible families and elderly persons, an increase over our present allotment of 552 units by 150 units OneHundred (100) units proposed for family allotment within the City Limits of Fort Wayne, Indiana, and Fifty (50) units for Elderly, to be located within the city limits of the City of Fort Wayne, Indiana, is hereby approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-05-79 on the 13th day of February, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-10-35

ZONING MAP ORDINANCE NO. Z-09-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N34, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

The South 180 feet of the North 872 feet of the West 200 feet of the South 45 acres of the West onehalf of the Northwest Quarter of Section 24, in Township 31 North, Range 12 East, Allen County, Indiana

and

The South 60 feet of the North 691.5 feet of the West 200 feet of the South 45 acres of the West half of the Northwest Quarter of Section 24, in Township 31 North, Range 12 East, Allen County, Indiana

and

The South 52 feet of the North 452 feet of the West 200 feet of the South 45 acres of the West half of the Northwest Quarter of Section 24, in Township 31 North, Range 12 East, Allen County, Indiana

and

The South 79.5 feet of the North 531.5 feet of the West 200 feet of the South 45 acres of the West half of the Northwest Quarter of Section 24, in Township 31 North, Range 12 East, Allen County, Indiana

and

The South 100 feet of the North 631.5 feet of the West 200 feet of the South 45 acres of the West half of the Northwest Quarter of Section 24, in Township 31 North, Range 12 East, Allen County, Indiana.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier
Nays: One
Stier

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-09-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-10-07

GENERAL ORDINANCE NO. G-04-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

Nelson Street, from the north rightofway of Jones Street, to the north rightofway of the first east west alley, lying south of Wilt Street. Total amount of vacation: 156 feet located between Lot #10 and vacated alley of Jones Addition, and Lots #1, 2, 3, & 4 and vacated alley of City Subdivision.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Counciwoman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-04-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-27

SPECIAL ORDINANCE NO. S-26-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0798 with By-Products
Management, Inc., for chemicals for WPC PLANT

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Tht City Utilities Purchase Order No. 0798, dated January 15, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and ByProducts Management, Inc., for:

three months supply of Liquid Ferrous Sulfate for test
run study on Phosphorous removal at the Water Pollution
Control Plant,

at a cost of $7,500.00 (Estimated), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-26-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-28

SPECIAL ORDINANCE NO. S-27-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0768 with DeHaven
Chevrolet, Inc. for a truck for Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0768, dated January 4, 1979, between the City of Fort Wayne,by and through the City Utilities Purchasing Agent and the Board of Public Works and DeHaven Chevrolet, Inc., for:

One 1979 3/4 Ton heavy duty pick up truck for the Water Maintenance & Service Department for use in hydrant repair and for the thawing of frozen fire hydrants in winter months,

at a cost of $6,071.84, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-27-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-29

SPECIAL ORDINANCE NO. S-28-79

AN ORDINANCE approving an Agreement
with Shambaugh & Sons, Inc., for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated January 8, 1979, between the City of Fotrt Wayne, by and through its Mayor and the Board of Public Works and Shambaugh & Sons, Inc., for:

SANITARY SEWER

"Beginning at an existing Sanitary Sewer Manhole located 670 ± LF North of and 20 ± LF East of the centerline intersection of Moeller Road and Adams Center Road; thence, South along the East rightofway line of said Adams Center Road 1200 ± LF terminating at a proposed manhole located 530 ± LF South of and 20 ± LF East of the centerline intersection of said Moeller Road and Adams Center Road."

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-28-79 on the 13th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-77-05-23 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-01-79

AN ORDINANCE AMENDING BILL NO.
X-77-05-23 and annexing certain territory to
the City of Fort Wayne, and including the
same in Councilmanic District No. 3,
effective March 6, 1979

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana effective, March 6, 1979, towit:

Beginning at the intersection of the North right-of-way line of Interstate 69, and the West right-of-way line of the Penn Central Railroad Company's right-of-way in the Southwest Quarter of Section 14, Township 31 North, Range 12 East; thence North along said West railroad right-of-way line to the North right-of-way line of Ludwig Road; thence West along said right-of-way line to the East line of Lot #4 in Dryer's Subdivision as recorded in Plat Book 9, Page 61, in the Office of the Recorder of Allen County, Indiana; thence North along the East property line of said Lots #4 and #3 to the Northeast corner of Lot #3 in Dreyer's Subdivision; thence West along the Northern property line of Lot #3 to the East property line of Lot #7 in Dreyer's Subdivision; thence North along the East line of Lot #7 to the Northeast corner of said lot; thence West along the Northern property line of Lot #7 to the East right-of-way line of State Road #3; thence Southeasterly along said road right-of-way to the South right-of-way line of Washington Center Road; thence East along said right-of-way line to a point on said right-of-way formed by the projection of the West right-of-way line of Sharon Drive Southward to its intersection with the South right-of-way line of Washington Center Road; thence North along the West right-of-way line of said Sharon Drive, to a point due West of the North property line of Rodenbeck's 7th Addition; thence East along the North property line of Rodenbeck's 7th Addition to the East right-of-way line of Rodenbeck Drive; thence North along said East right-of-way line 39 feet to the Northwest corner of Lot #117 in Rodenbeck's 7th Addition; thence East along the North property line of Lot #117 to the East property line of said Rodenbeck's 7th Addition; thence South along the East line of said Addition to the North right-of-way line of Interstate 69; thence in a Northeasterly direction along the North right-of-way line of said Interstate 69 to the point of beginning.

The above-described area containing approximately 266 acres.

SECTION 2. The following services will be provided by the City of Fort Wayne to the above-described annexed territory immediately upon the effective date of annexation: police protection, fire protection, emergency medical services, street and road maintenance, solid waste collection, and traffic engineering.

SECTION 3. Additional services of an intangible nature which will be provided by the City of Fort Wayne to the above described annexed territory immediately upon the effective date of annexation include: services of the Office of the Mayor; Department of Finance; Redevelopment Commission; the Common Council; Community Development and Planning; Metropolitan Human Relations Commission and all other administrative branches of the City of Fort Wayne.

SECTION 4. That, upon petition to the Board of Public Works, City sewer, water and drainage shall be provided in accordance with relevant state law and existing City and City Utilities policies. Street lighting, street reconstruction, and park services, will be provided in conformance to existing policies, relevant state laws and upon petition when applicable.

SECTION 5. All governmental and proprietary services of the City of Fort Wayne that are to be provided the above described territory immediately upon annexation, as stated in this ordinance, will be furnished to the said described territory in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 6. Governmental and proprietary services of the City of Fort Wayne that are not to be provided immediately, or in a manner otherwise described herein, will be provided to the above described area within a period of three (3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 7. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 8. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 9. After its passage, approval by the Mayor, final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect on March 6, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: Two
Nuckols, Stier

Date: 2-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-01-79 on the 13th day of February, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1979, at the hour of 11:30 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-22

SPECIAL ORDINANCE NO. S-29-79

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF FORT WAYNE, INDIANA AND HARRISON HOUSE REALTY, INC. AND AN AMENDMENT TO THE LEASE GUARANTY AGREEMENT BETWEEN THE CITY OF OF FORT WAYNE, INDIANA AND SUPER VALU STORES, INC. HERETOFORE EXECUTED IN CONNECTION WITH THE ISSUANCE AND SALE OF $2,200,000.00 ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1974 (SUPER VALU PROJECT) OF THE CITY OF FORT WAYNE, INDIANA PURSUANT TO SPECIAL ORDINANCE NO. S-39-74 OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilites and to lease said facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities, and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, in 1974, the Fort Wayne Economic Development Commission (the "Commission") found by written resolution that the economic welfare of the City would be benefited by the acquisition and leasing to Harrison House Realty, Inc. ("Harrison House") of economic development facilities, such lease to be guaranteed by Super Valu Stores, Inc. ("Super Valu"), and, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding that the proposed financing complied with the Act, approved the financing and approved the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease, guaranty and indenture, which resolution and other instruments and information pertaining to the proposed financing were transmitted to this Common Council; and

WHEREAS, this Common Council adopted Resolution No. R-18-74 finding that the proposed financing

would be of benefit to the economic welfare of the City, approving the proposed financing and authorizing the issuance by the City, approving the proposed financing and authorizing the issuance by the City of $2,200,000.00 principal amount of Economic Development Revenue Bonds, Series 1974 (Super Valu Project), having terms and provisions and secured as provided by a Mortgage and Indenture of Trust dated as of February 1, 1974 between the City and Fort Wayne National Bank (the "Trustee") and a Lease Agreement dated as of February 1, 1974 (the "Guaranty") between the City and Super Valu as Guarantor; and

WHEREAS, this Common Council by Special Ordinance No. S-39-74 authorized the issuance and sale of said Economic Development Revenue Bonds, authorized the execution by the City of a Mortgage and Indenture of Trust securing the Bonds, the Lease with Harrison House as Lessee and the Guaranty with Super Valu as Guarantor, all of which documents are now in full force and effect; and

WHEREAS, Harrison House, the Lessee under the Lease, has advised the City that it proposes to assign to PYA/Monarch which is a wholly owned subsidiary of Consolidated Foods Corporation, a Maryland corporation ("Consolidated"), all rights and obligations of Harrison House as Lessee under the Lease, and Super Valu has advised the City that it proposes to assign to Consolidated all rights and obligations of Super Valu under the Guaranty, such assignments being on the condition that the Lease and the Guaranty are first amended to provide that upon assignment Harrison House shall be relieved of all liability as Lessee under the Lease and Super Valu shall be relieved of all liability as Guarantor under the Guaranty; and

WHEREAS, Monarch and Consolidated have advised the City that Monarch proposes to accept the assignment from Harrison House and to assume all obligations of Harrison House as Lessee under the Lease and that Consolidated proposes to accept the assignment from Super Valu and to assume all obligations of Super Valu as Guarantor under the Guaranty; and

WHEREAS, in implementation of this proposal, Harrison House, Super Valu, Monarch and Consolidated have submitted to this Common Council a proposed form of First Amendment to Lease and First Amendment to Lease Guaranty Agreement, dated as of February 24, 1979 (the "Amendment"), a proposed form of Assignment of Lease Agreement and a proposed form of Assignment of Lease Guaranty Agreement:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the public benefits heretofore found and determined to exist by this Common Council in Special Ordinance No. S3974 are in no way affected or diminished by the Amendment and that the Amendment should therefore be approved.

SECTION 2. Approval of First Amendment to Lease and First Amendment to Lease Guaranty Agreement. The Mayor is hereby authorized to attest, the First Amendment to Lease and First Amendment to Lease Guaranty Agreement, dated as of February 24, 1979 (the "Amendment"), and the Clerk is hereby directed to insert a copy of the Amendment, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Amendment, and to keep the same on file. The Amendment shall be executed in substantially the form submitted to this meeting with such changes as are approved by the officers executing it, their execution to constitute conclusive evidence of such approval. By the Amendment, Harrison House may assign all of its rights and obligations under the Lease to Monarch and thereby be relieved of all further liability under the Lease provided that Monarch assumes all obligations of the Lessee under the Lease, and by the Amendment, Super Valu may assign all of its rights and obligations under the Guaranty to Consolidated and thereby be relieved of all further liability under the Guaranty provided that Consolidated assumes all obligations of the Guarantor under the Guaranty.

SECTION 3. Approval of Assignment of Lease Aggrement and Assignment of Lease Guaranty Agrement. The form of Assignment of Lease Agreement whereby Harrison House assigns to Monarch its entire interest in the Lease, as amended by the Amendment, and the Assignment of Lease Guaranty Agreement whereby Super Valu assigns to Consolidated its entire interest in the Guaranty, as amended by the Amendment, are hereby approved in the form submitted to this meeting, and the Clerk is hereby directed to insert a copy of the Assignment of Lease Agreement and a copy of the Assignment of Lease Guaranty Agreement in the form submitted to this meeting and approved hereby in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby and to keep the same on file.

SECTION 4. Prior Ordinance Otherwise Remains in Full Force and Effect. Except to the extent that the authorization of the Amendment shall be deemed an amendment to Special Ordinance No. S-39-74, that Ordinance remains in full force and effect.

SECTION 5. General. The Mayor and the Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City, to execute any and all instruments, perform any and all acts, approve any and all matters and do any and all things deemed by them, or either of them, to be necessary or desirable

in order to carry out the purposes of this Ordinance. The Mayor and the Clerk, and each of them, are hereby authorized to execute and deliver the Amendment in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Ordinance, provided, however, that before the Amendment is executed by the Mayor and the Clerk, the written consent of the Trustee shall be obtained as required by Section 12.9 of the Lease and by the Guaranty, and further provided that the City Attorney shall be satisfied that the City will be fully indemnified against any expense incurred in connection with the transaction herein contemplated.

Upon the approval of this Ordinance by the Mayor, the Clerk is authorized and directed forthwith to transmit to Fort Wayne National Bank, as Trustee, a copy of this Ordinance, which shall constitute the request of the City to the Trustee to consent to the Amendment.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
Hunter
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-29-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-2-23

SPECIAL ORDINANCE NO. S-30-79

AN ORDINANCE authorizing the issuance and sale of $1,200,000.00 First Mortgage Revenue Bonds, Series 1979, Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Economic Development Commission has developed and filed with the City Plan Commission a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be

constructed for Don Ayres Pontiac, Inc. and Paul A. Bradtmiller" and the City Clerk has presented the same to the Common Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted a resolution approving the financing of said economic development facilities as described in said Report to be financed by the issuance and sale of revenue bonds to the City of Fort Wayne and the lease of said facilities to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of IC 1971, 18-64.5-1 - 18-6-4.5-29; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Economic evelopment Commission together with the comments thereon by the City Plan Commission be accepted and ordered filed.

SECTION 2. That the Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Economic Development Commission.

SECTION 3. The financing of the acquisition and construction of the economic development facilities by the issuance and sale of First Mortgage bonds of the City of Fort Wayne and the lease of said facilities to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller as previously approved by the Fort Wayne Economic Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease Agreement and the Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in IC 1971, 18-6-4.5-1 - 18-6-4.5-29. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds (Don Ayres Pointiac, Inc. and Paul A. Bradtmiller, Lessee) in the total principal amount of One Million Two Hundred Thousand Dollars ($1,200,000.00) for the purpose of providing funds to acquire and construct the project and lease the same to Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee, (all as more particularly set out in the Lease Agreement and Mortgage and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Don Ayres Pontiac, Inc. and Paul A. Bradtmiller pursuant to the provisions of the financing agreement and other sources as provided in the Lease Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 9% per annum and at a price of 100% of the principal amount of such bonds. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of the company to assist in the sale of such bonds.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other documnts which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to deliver such bonds to the Trustee named on the Mortgage and Indenture of Trust for delivery to the purchasers therefor, payment for which shall be made to the Trustees named in the Mortgage and Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing such bonds shall constitute a contract binding between the City of Fort Wayne Economic Development First Mortgage Revenue Bonds, Series 1979 Don Ayres Pontiac, Inc. and Paul A. Bradtmiller, Lessee, and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico

Nays: None

Absent: One D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-30-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-03

SPECIAL ORDINANCE NO. S-32-79

AN ORDINANCE approving Civil City Purchase Order No. 4-05861 with Hite Equipment Repair, Inc. for equipment for the Street Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 405861, dated January 29, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Hite Equipment Repair, Inc., for the purchase of one Rubberized Asphalt Kettle, Oil Jacketed Type, with 16.5 HP Power Engine, 55 Gal. Drum Heat Bath Oil, Insulated Puring Pots and Jack Type Drop Leg with Pneumatic Caster, to be used in the Street Engineering Department for their Street Repair Program, at a cost of $7,541.25, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-32-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-21

RESOLUTION NO. R-06-79

A RESOLUTION authorizing the
filing of an application for
fiscal year 1979 Community Development
Block Grant Funds

WHEREAS, the City of Fort Wayne has a goal the provision of a decent and viable living environment for all of its citizens; and

WHEREAS, the City of Fort Wayne has consistently committed itself to the elimination of blight and deterioration which is present within the community and the prevention of its further spread; and

WHEREAS, under the provisions of the Housing and Community Development Act of 1977, the City of Fort Wayne is entitled to receive annual grants through the Community Development Block Grant Program; and

WHEREAS, funding under this program must be used for the promotion of viable urban communities and the prevention or elimination of blight and deterioration, primarily for the benefit of low and moderate income people; and

WHEREAS, the City of Fort Wayne has developed a community development plan and program which is consistent with the City's overall strategy for preventing the further spread and elimination of blight and deterioration; and

WHEREAS, all necessary steps have been taken by the Mayor and the Department of Community Development and Planning staff to properly complete the attached entitlement application for fifth year Community Development Block Grant funding in conformance with that strategy and plan.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1.That the attached application for $2,639,000.00 in fifth year entitlement funds and the accompanying assurances be approved and forwarded to the U.S. Department of Housing and Urban Development under the signature of Mayor Robert E. Armstrong.

2. That Mayor Robert E. Armstrong, in his capacity as Chief Executive Officer for the City of Fort Wayne, be authorized to act on behalf of the City in contemplating contracural agreements pertaining to this grant and providing additional information and documentation pertinent thereto as required.

3. That the Common Council by its approval of this application hereby reaffirms its intent to reduce and eliminate urban blight within the City of Fort Wayne.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-06-79 on the 27th day of February, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-24

RESOLUTION NO. R-07-79

A RESOLUTION authorizing the issuance and sale of $1,200,000.00 Economic Development Revenue Bonds (Don Ayres Pontiac, Inc. and Paul A. Bradtmiller) of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring facilities, authorizing the execution of the necessary instruments, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues, and authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City")is a municipal corporation and political subdivision of the State of Indiana and by virture of IC 1971, 18-6-4.5-1 through 18-6-4.5-29, inclusive, as amended (hereinafter called the "Act" is authorized and empower to acquire economic development facilities as those words are defined in the Act and to make such facilities available to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Don Ayres Pontiac, Inc. and Paul A. Bradtmiller (the "Corporation") is a corporation fully organized under the laws of the State of Indiana; and

WHEREAS, the Corporation has agreed to construct economic development facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City and to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4.5-1 through 18-6-4.5-29, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become of the Fort Wayne Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of the construction of economic development facilities by the Corporation; and

WHEREAS, the Commission has by such resolution approved a Report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, economic development

facilities and the cost of construction of the economic development facilities and has submitted such report to the City Plan Commission; and

WHEREAS, Said Plan Commission and Fort Wayne Community Schools, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the Lease Agreement and Indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by Secretary of the Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the facilities in connection with the project ("the Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds (Don Ayres Pontiac, Inc. and Paul A. Bradtmiller) herein authorized are "economic development facilities" as the phrase is used in the Act and the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and the location of the other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this reoslution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, towit: insufficient employment opportunities and insufficient diversification of industry and recreational facilities, and that such benefit is greater than the cost of public facilities (as the phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of $1,200,000.00 Economic Revenue Bonds. In order to pay a portion of the cost of acquiring the Project, there are hereby authorized to be issued, sold and delivered the $1,200,000.00 aggregate principal amount Economic Development Revenue Bonds Don Ayres Pontiac, Inc. and Paul A. Bradtmiller Project of the City. It is hereby recognized that pursuant to the terms of the Lease Agreement, the balance of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resoluion shall have the meanings set forth in the Indenture, the Lease Agreement and unless the context or use indicates another or different meaning or intent and the form of the Bond and the form of the Lease Agreement and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bonds. The total principal amount of Bond that may be issued is hereby expressly limited to $1,200,000.00, provided, however, that additional bonds may be issued as hereinafter provided.

The bond shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The bond shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bond, if any, shall be executed by the facsimile of the official signature of the Mayor and Clerk and such facsimile on any Bond or coupons shall have the same force and effect as if manually signed by such officer. The Bond, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the Project (except to the extent paid out of monies attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bond and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bond, except as may be otherwise expressly authorized in the Indenture. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the bond or coupons shall cease to be such officer before the delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Bond, but shall bear such date or dates, bear such

interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued such prices as shall be approved in writing by the City and the Company.

SECTION 7. Sale of the Bond. The Mayor and Clerk of the City are hereby authorized and directed to sell the Bond. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, the Underwriting Agreement in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payments of the principal of and interest on the Bond, the Mayor and Clerk shall execute , acknowledge and deliver in the name on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon and the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Identure contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture,including the provision thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. General. The Mayor and Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of the Project by the Company, the issuance and sale of the Bond and the securing of the Bond under the Indenture.

All documents before this meeting, including the Indenture and the Lease Agreement are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them is hereby authorized to execute and deliver said Indenture and Lease Agreement in substantially the form of said documents before this Common Council, on behalf of the City, which such changes therein as such official with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interest of the City and in conformance with the Bond Resolution.

SECTION 10. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistant with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-07-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-01-08

SPECIAL ORDINANCE NO. S-31-79

AN ORDINANCE amending Chapter 28, Sections 28-30 (b), 28-5, 28-11, and 28-21 (b), and (c) of The Code of the City of Fort Wayne, Indiana of 1974 concerning taxicabs, and adding a new Section 28-32 to said Code

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 28, Section 2830 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended as follows:

(a) Section 2830 (b) concerning the charges to be made for the carrying of passengers by taxicabs of the City of Fort Wayne, is hereby amended as follows:

"Section 2830 (b) Charging of fares by taximeter rate" is hereby deleted in its entirety and the following is substituted therefor:

Section 2830 (b) Charging of fares by taximeter rate. The following fares shall be charged for carrying of passengers by taxicabs:

(1) From one to and including four passengers, for the first oneeight (1/8) mile or fraction thereof, the fare shall be eighty cents (80);

(2) For each additional onequarter (1/4) mile or fraction thereof, the fare shall be an additional twenty cents (20);

(3) An additional charge of forth cents (40) shall be made for transporting over four passengers;

(4) For each one minute of waiting time or fraction thereof, the fare shall be an addtional ten cents (10) or Six Dollars ($6.00) per hour.

SECTION 2. That Chapter 28, Section 285 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is amended as follows:

"Section 285, Financial Statements to be filed with Controller is hereby deleted in its entirety and the following is substituted therefor:

Section 285, Financial Statements to be filed with Controller. All taxicab compaines operating in the City shall annually on the first day of January of each year, file a full and complete financial statement properly certifed to by a Certified Public Accountant with the Controller of the City.

SECTION 3. That Chapter 28, Section 2811 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is amended as follows:

"Section 2811, carrying more than one person or group" is hereby deleted in its entirety and the following is substitued therefor:

Section 2811, carrying more than one person or group.

Except as provided in Section 2832,it shall be unlawful for taxicabs to carry more than the passenger or more than one group of passengers; provided, that a second passenger or group of passengers shall not be picked up or admitted to a taxicab without the consent of the first passenger or group of passengers engaging such taxicab except when said taxicab is rendering share ride service as provided in Section 2832 of this Chapter 28.

SECTION 4. That Chapter 28, Section 2821 of The Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended as follows:

Sections 2821 (b) and (c) concerning insurance requirements for taxicabs of the City of Fort Wayne are deleted in their entirety and the following is substitued therefor:

Section 2821 Insurance, guaranty bond required.

(b) Issuance. Such contract of insurance or guaranty bond shall be issued by a reliable insurance company admitted to do business in the state, with not less than one million dollars assets, and such contract of insurance or guaranty bond shall be a five hundred thousand dollar public liability policy for protection of bodily injury, and a contract of insurance or guaranty bond of twenty five thousand dollars for property damage, such policies to be the standard form of nondeductible provided, except that if an applicant is qualified as a self-insured by the State of Indiana, such contract of insurnace or guaranty bond may be a One Hundred Thousand Dollar ($100,000.00) public liability policy for protection of bodily injury, and a contract of insurance or guaranty bond of Twenty Five Thousand Dollars ($25,000.00) for property damage, such policies to be the standard form of nondeductible.

(c) Provisions generally. Such contracts of insurance or guaranty bond shall proivde that they and the qualified self insurer covenant that they will pay for any and all damages imposed by law upon such applicant, or any other person operating any motor vehicle as a taxicab under such permit, or by virture of the provisions thereof, provided such damages result from bodily injury, including death, and damage to property sustained by any person during the period covered by such contract of insurance, guaranty bond, and self inssurnace by reason of the ownership, maintenance, operation or use under such permit, or by virture of the provision thereof, of any motor vehicle as a taxicab by any person whomsoever, regardless of the ownership of such motor vehicle. Such contract of insurance or guaranty bond shall contain the further provisions that the obligations and promises contained therein shall not be affected by any act or omission of the named assured, its agents, employees, bailees or licensees, or any other person operating any motor vehicle as a taxicab under such permit, or by virture of the provisions thereof on account of a default in the payment of the premium on such contract of insurance or guaranty bond, or giving of any notice required by the provisions thereof or otherwise, or by the insolvency of the assured named therein.

SECTION 5. Section 2832 is hereby added to Chapter 28 of The Code of the City of Fort Wayne, Indiana of 1974 and the same hereby reads as follows"

Section 2832. Shared Ride Taxi Service Fare Table.

(a) There is hereby created a shared ride taxicab service on a delayed basis. To be eligible for such shared ride taxicab service, any person or persons desiring same shall make a reservation or reservations therefor at least ninety (90) minutes in advance of such shared ride service by phoning in to the office of the dispatcher of the taxicab company, the order for such shared ride service.

(b) Charges for such shared ride taxicab service are computed on a zone basis. A charge is made from the zone in which the point of origin of the trip occurs by the most direct route to the zone in which the point of destination of the trip is located. A pick up charge is assigned to all zones. The trip charge per passager is the pick up charge, plus the zone travel charge. Zone travel charges and pick up charges are approved by the Comon Council of the City of Fort Wayne, Indiana and are described by the geographical zone map as set forth in Section 2832 (c) hereof. The total fare per person is computed on the Matrix fare table and directioms for use thereof is set forth in Section 2832 (d) hereof. Said geopgraphical map and Matrix fare table and directions for use thereof must also be posted in a conspicuous place in each taxicab.

(c) Geographic Map. (see separate sheet marked "Exhibit A")

(d) Directions for using Fare Table. (see separate sheet marked "Exhibit B").

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, V. Schmidt, Stier, Talarico
Nays: Two
Moses, Nuckols
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-31-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-09-15

GENERAL ORDINANCE NO. G-05-79

AN ORDINANCE amending Gemeral Ordinance No. G-97 by authorizing the vacation of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

> The portion of the alley running North and South between Covington Road and Whitmore Street, which abuts Lots 8, 9, and 10 on the East and Lots 11, 12 and 13 on the West in Park's Addition, Section 15, Township 30 North, Range 12 East, Allen County, Indiana, except that part of said alley which is adjacent to the North twelve (12) feet of Lots 8 on the East and the North twelve (12) feet of ot 13 on the West.

SECTION 2. That after passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-05-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-02-25

RESOLUTION NO. R-08-79

A RESOLUTION IN OPPOSITION TO HOUSE
BILL NO. 1631 WHICH WOULD DELETE THE
REQUIREMENT OF DOCKETING CLAIMS
WITH THE CITY CLERK

WHEREAS, Indiana Code Section 181201 requires that each claim against the city be itemized, verified, filed with the City Clerk, and placed upon the Claim Docket at least five (5) days before it is allowed; and

WHEREAS, the present State law further requires the Clerk to enter each claim by the name of the claimaint, amount claimed, purpose, and date filed; and

WHEREAS, this procedure does not cause undue delay, but rather provides a mechanism for inspection by all taxpayers: and

WHEREAS, House Bill No. 1631 would eliminate a vital check and balance system which has operated effectively since its creation.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Common Council believes that the present claim docketing procedure set forth in Indiana Code Section 181201 provides an efficient mechanism for docketing and reviewing all claims within the City.

SECTION 2. House Bill No. 1631 should be defeated since it eliminates a proven and necessary check and balance system within the City.

SECTION 3. This Resolution shall be in full force and effect from and after its adoption by the Common Council.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter
Absent: One
D. Schmidt
Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-08-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. S-79-02-11

SPECIAL ORDINANCE NO. S-33-79

AN ORDINANCE approving a contract for
Water Contract #78-XP-1, between the City
of Fort Wayne, Indiana and Engineering
Sales Company, Inc. for construction of
water mains

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 24, 1978, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Engineering Sales Company, Inc., for:

construction of water main on Ardmore Avenue from a
point 200 ± LF South of Engle Road Southward 220 ± LF;
thence West 45 ± LF

under Board of Public Works Water Contract #78XP1, at a total cost of $12,723.00, developer to pay $8,830.00 and City Utilities to pay $3,893.00, the difference for the oversized water main, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-33-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-12

SPECIAL ORDINANCE NO. S-34-79

AN ORDINANCE approving a contract for
Water Contract #7824, between the City
of Fort Wayne, Indiana and Niemeyer
Corporation for construction of a
water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 24, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Niemeyer Corporation for:

construction of a 16" water main on Hessen Cassel Road
from the north rightofway line of Linden Drive
southward to south property line of Lot 61, Cassel
Hills Addition,

under Board of Public Works Water Contract #7824, at a total cost of $27,275.00, contractor to pay $15,815.00 and the City to pay $11,460.00, the difference for the installation of an oversized line, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval be the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hings, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-34-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-13

SPECIAL ORDINANCE NO. S-35-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0835 with Underground
Pipe and Valve, Inc. for equipment for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0835, dated February 2, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Underground Pipe and Valve Inc., for:

224" Clow Butterfly Valve, M.J. W/Gaskets, Bolts
and Glands and 2 24" Duo Solid Sleeves, M.J. for
C.D. Pipe W/Gaskets, Bolts and Glands, Pipe Range
25.80 to 26.32, for Water Maintenance & Service
Department.

at a cost of $6,286.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-35-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-14

SPECIAL ORDINANCE NO. S-36-79

AN ORDINANCE approving a contract for
Street Light Resolution No. 133-78,
between the City of Fort Wayne, Indiana
and Schmidt Electric, Inc., Contractor
for the Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 24, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Schmidt Electric, Inc., Contractor, for:

installation of ornamental street lighting with underground
wiring in the West Central Phase III Area,

under Board of Public Works Street Light Resolution No. 13378, at a total cost of $52,520.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-36-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-15

SPECIAL ORDINANCE NO. S-37-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0822 with Korte
Brothers, Inc. for Pump for Water
Pollution Control Maintenance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0822, dated January 23, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Korte Brothers, Inc., for:

1 Model 6TCCD1 Barnes 6" trash pump with Deutz
Diesel Engine, Trailer mounted for Water Pollution
Control Maintenance Department,

at a cost of $7,409.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-37-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-16

SPECIAL ORDINANCE NO. S-38-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0824 with Allen County
Motors for a Station Wagon for the Office
Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0824, dated January 31, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Allen County Motors, for:

1 1979 Mid Size Station Wagon (Ford Fairmount) for
the Office Services Department,

at a cost of $4,685.70, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-39-79 on the 27th day of February, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of March, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong

Mayor

BILL NO. R-79-02-42

RESOLUTION NO. R-09-79

A RESOLUTION REQUESTING INSTALLATION OF A TRAFFIC CONTROL DEVICE BEING A TRAFFIC LIGHT TO CONTROL PEDESTRIAN AND VEHICULAR TRAFFIC IN THE INTERSECTION OF HIGH AND SHERMAN STREETS IN THE CITY OF FORT WAYNE, AND REQUESTING THE USE OF REVENUE SHARING FUNDS TO PAY THE COST OF INSTALLATION THEREOF

WHEREAS, Citizens in area of Sherman Blvd., and High Street, in the City of Fort Wayne, Indiana, have invited attention to the hazardous condition and the need for a more adequate control of the movement of the vehicular and pedestrian traffic at the intersection of High Street and Sherman Boulevard in the City of Fort Wayne, Indiana; and

WHEREAS, through the utilization of an electric traffic control signal exhibiting by different colored lights to signal "Go", "Caution" and "Stop" will be needed in said intersection; and

WHEREAS, theuse of Revenue Sharing Funds for the purpose of installation of said above signal is in the best interests of safety of the public.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNVIL OF THE CITY OF FORT WAYNE, INDIANA:

"That the Traffic Engineering Department of Fort Wayne be authorized to immediately request funds from Revenue Sharing for the propose of installation of an electric traffic control device for the installation of proper recognized lights signaling"Go,"Caution" and "Stop", to control motor and pedestrian traffic in the intersection of Sherman Boulevard and High Street, public streets, in the City of Fort Wayne, Indiana."

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 2-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-09-79 on the 27th day of February, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. S-79-02-26

SPECIAL ORDINANCE NO. S-39-79

AN ORDINANCE approving an Agreement to Purchase by Arene Laster and Geraldine Laster

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated February 9, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Arene Laster and Geraldine Laster for:

Lot 80 McCulloch's 2nd Addition to the City of Fort Wayne, Indiana,

for a gain to the City of $125.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-39-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-27

SPECIAL ORDINANCE NO. S-40-79

AN ORDINANCE approving a certain bid document for purchase of materials for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 877, dated January 16, 1979, between

the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and American Highway Sign Company, Inc., for Aluminum Sign Blanks and Extruded Aluminum, at a total cost of $4,759.90, all as more particularly set forth in said bid document Ref. No. 877 and Purchase Order No. 405918i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-40-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-28

SPECIAL ORDINANCE NO. S-41-79

AN ORDINANCE approving a certain bid
document for purchase of materials for
Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 880, dated January 17, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and Hall Signs, Inc., for "U" Channel Sign Posts, at a total cost of $20,818.00, all as more particularly set forth in said bid document Ref. No. 880 and Purchase Order No. 405922i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-41-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-29

SPECIAL ORDINANCE NO. S-42-79

AN ORDINANCE approving a certain bid document for purchase of materials for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 879, dated January 17, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and Baltimore Paint & Chemical Corporation, for Pavement Marking Materials, at a total cost of $37,486.50, all as more particularly set forth in said bid document Ref. No. 879 and Purchase Order No. 405920i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, D. Schmidt, Nuckols

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-42-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-30

SPECIAL ORDINANCE NO. S-43-79

AN ORDINANCE approving a certain bid document for purchase of material for Traffic Engineering Department

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document REf. No. 878, dated January 17, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety for the Traffic Engineering Department and FlexOLite Division GSI, Inc., for Glass Sphere Road Beads, at a total cost of $7,698.39, all as more particularly set forth in said bid document Ref. No. 878 and Purchase Order No. 405919i, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Navs: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-43-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-31

SPECIAL ORDINANCE NO. S-44-79

AN ORDINANCE approving a contract between GT&E Data Services and the City of Fort Wayne by and through its Department of Public Safety for Fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated January 21, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and GT&E Data Services, for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

Lots Number 1 and 2 in Oakbrook Office Park, a tract of real estate located in the Northeast quarter of the southeast quarter of Section 14, Township 31 North, Range 12, Allen County, Indiana, at the southwest corner of U.S. Highway 27 and Ludwig Road, near but outside the corporate limits of City

SECTION 2. That the cost of GT&E Data Services shall be the sum of $3,935.59, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmdit
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-44-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-03-07

RESOLUTION NO. R-10-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. unit No. 19 1977 Plymouth, 4 door sedan License Plate #MO11119	$537.36	Northway Chrysler Plymouth

2)	Traffic Engineering unit No. 16, 1976 Ford Truck, License Plate #MO12502	111.55	Allen County Motors
3)	Police Dept. unit No. 16, 1978 Ford, 4 door sedan License Plate #MO11116	298.40	Northway Chrysler Plymouth
	TOTAL	$947.31	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hutner and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-10-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-03-08

RESOLUTION NO. R-11-79

A RESOLUTION authorizing the temporary advancement of funds from the Park General Fund No. 121 to the Park Cumulative Building Fund No. 355 for the period ending June 30, 1979

WHEREAS, it has become necessary to borrow money to enhance the temporarily invested Park Cumlative Building Fund No. 355 to enable the Park Department to proceed with pending projects; and

WHEREAS, there is sufficient money in the Park General Fund No. 121 which can be temporarily advanced or transferred to said Park Cumulative Building Fund No. 355

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne be and is hereby authorized to tranfer the sum of $25,000.00 to the Park Cumulative Building Fund No. 355 from the Park General Fund No. 121, which sum shall be returned and repaid to the aforementioned fund on or before June 30, 1979.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-11-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-03-09

RESOLUTION NO. R-12-79

RESOLUTION OF THE FORT WAYNE ECONOMIC
DEVELOPMENT COMMISSION, FORT WAYNE,
INDIANA AND THE COMMON COUNCIL OF FORT WAYNE,
INDIANA MARCH 13, 1979

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Gast Realty Corporation (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 27,000 square foot warehouse and office, including the real estate on which it is located, for the sale, mixing and distribution to be located on Speedway Drive, Fort Wayne, Indiana, on an approximate 1 and 1/4 acre tract of land (the "Project"); and

WHEREAS, Kenneth Gast, Mary Jane Gast, James Gast and Janitor Supply Co., Inc., a Corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of economic development and increase in job opportunities will and or save 20 jobs to be achieved by the acquisitiib, construction and equipping of the Project will be of

public benefit to the health, safety and general welfare of the Issurer and its citizens, and

WHEREAS, having received the advise of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratified and confirms that the issuance and sale of revenue bonds in an amount not to exceed $475,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 13th day of March, 1979.

CITY OF FORT WAYNE

Vivian G. Schmidt
Councilwoman

ATTEST:

Charles W. Westerman
City Clerk

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-12-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-03-10

RESOLUTION NO. R-13-79

RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION, FORT WAYNE, INDIANA, OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA MARCH 13, 1979

WHEREAS, the City of Fort Wayne, Indiana (the Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, St. Joseph Medical Building Associates (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 52,000 square foot garage and medical office building, and equipment to be installed therein, for the medical office building to be located on the entire block bounded on the north by Berry Street, on the south by Wayne Street, on the east by Broadway, and on the west by Van Buren, in Fort Wayne, Indiana.

WHEREAS, the St. Joseph Medical Building Associates, a limited partnership, will guarantee all bond payments, if necessary; and

WHEREAS, the diverification of economic development and increase in job opportunities, 75 new jobs to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Fort Wayne Economic Development Commission and said Issuer take such action as it law fully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $5,500,000.00 of the Issuer under the Act for the acquisition, con struction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (1) it will take or cause to be taken such actions pur suant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the fore going shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of money expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 13th day of March, 1979

CITY OF FORT WAYNE

Vivian G. Schmidt
Councilwoman

ATTEST:

Charles W. Westerman
City Clerk

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-13-79 on the 13th day of March, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-01-24

ZONING MAP ORDINANCE NO. Z-10-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-38

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a RA District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. R38, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

SHOAFF PARK RIVER ESTATES

A part of Block "D" in George L. Ashley Homestead as recorded in Plat Book 8, Page 84 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Block "D" in George L. Ashley Homestead; thence South 62 degrees, 28 minutes, 17 seconds East along the northerly line of said Block "D" a distance of 859.04 feet to a point on the centerline of St. Joe Road; thence South 36 degrees, 20 minutes, 16 seconds West along the centerline of St. Joe Road a distance of 212.51 feet to an iron pin; thence North 62 degrees, 28 minutes, 17 seconds West along the South rightofway line of Shoaff Park River Drive a distance of 318.87 feet to the Point of Beginning, being an iron pin set; thence South 27 degrees, 31 minutes, 43 seconds West a distance of 368.63 feet to an iron pin set; thence North 64 degrees, 02 minutes, 25 seconds West a distance of 445.14 feet to an iron pin found being the southeast corner of Lot Numbered 51 in Shoaff Park River Estates recorded in Plat Book 38, Pages 123126; thence North 75 degrees, 11 minutes, 49 seconds East along the boundary of Shoaff Park River Estates a distance of 236.69 feet to an iron pin found being the southeast corner of Lot Numbered 54 in Shoaff Park River Estates, thence North 27 degrees, 31 minutes, 43 seconds East a distance of 221.43 feet to an iron pin found being on the South rightofway of Shoaff Park River Drive; thence South 62 degrees, 28 minutes, 17 seconds East along the South rightofway line of Shoaff Park River Drive .a distance of 270.0 feet to the Point of Beginning, containing 2.62 acres of land, more or less, and subject to all rightsofway and easements record.

SECTION 2. That this Ordinance shall be effective upon passage , approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map ORdinance No. Z-10-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-02-10

GENERAL ORDINANCE NO. G-06-79

AN ORDINANCE amending certain
Sections of Chapter 17 of Code of the
City of Fort Wayne, Indiana of 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 2, Section 1739 "Increasing State Speed Limits in Certain Zones", of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by adding to Schedule 2 the following:

SPEED LIMIT 40 M.P.H.

STREET	FROM	TO
St. Joe Rd.	St. Joe Center Rd.	Evard Rd.

SPEED LIMIT 25 M.P.H. WHEN CHILDREN PRESENT

STREET	FROM	TO
Vance Ave.	Parnell Ave.	River Forest Dr.

SECTION 2. That Schedule 5, Section 1749 "Intersections Where Stop Required", of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by deleting from Schedule 5 the following:

STOP INTERSECTION

Taylor St.	Stop	at Freeman St.
Freeman St.	Stop	at Taylor St.

SECTION 3. That Schedule 5, Section 1749 "Intersections Where Stop Required", of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by adding to Schedule 5 the following:

STOP INTERSECTION

Thompson Ave.	-Stop-	for Swinney Ave.

SECTION 4. That Schedule 7, Section 1790 "Parking Prohibited at All Times on Certain Streets", of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by deleting from Schedule 7 the following:

NO PARKING

STREET	SIDE	FROM	TO
Forest Ave.	south	Anthony Blvd.	Kensington Blvd.

SECTION 5. That Schedule 7, Section 1790 "Parking Prohibited at All Times on Certain Streets", of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by adding to Schedule 7 the following:

NO PARKING

STREET	SIDE	FROM	TO
Sidney St.	east	Maumee Ave.	Jefferds Ave.
Wallace St.	south	Lafayette St.	200 ft. east thereof
Essex Lane	both	Camden Dr.	Coldwater Rd.
Dwenger Ave.	both	Glasgow Ave.	670 ft. east thereof
Beechwood Circle	west	Beechwood Dr.	180 ft. south thereof
Shadybrook Dr.	both	Schele Ave.	the north terminus

SECTION 6. That Schedule 10, Section 1793 (2) "Parking Time Limited on Certain Streets", 1 Hour Parking 8A.M. to 6:00 P.M., of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by deleting from Schedule 10 the following:

ONE HOUR PARKING 8.A.M. TO 6:00 P.M.

STREET	SIDE	FROM	TO
Wayne St.	south	Barr St.	Lafayette St.
Wayne St.	north	Barr St.	Lafayette St.

SECTION 7. That Schedule 11, Section 1793 (b) "Parking Time Limited on Certain Streets", 90 Minute Parking 8 A.M. to 6 P.M., of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by adding to Schedule 11 the following"

90 MINUTE PARKING 8 A.M. TO 6 P.M.

STREET	SIDE	FROM	TO
Forest Ave.	both	Anthony Blvd.	Kensington Blvd.
Kensington Blvd.	both	Forest Ave.	E. State Blvd.

SECTION 8. That Schedule 12, Section 1793 (c) "Parking Time Limited On Certain Streets", 2 Hour Parking 8 A.M. to 6 P.M., of the Code of the City of Fort Wayne, Indiana of 1974, be and the same is hereby amended by adding to Schedule 12 the following:

TWO HOUR PARKING 8.A.M. TO 6 P.M.

STREET	SIDE	FROM	TO
Wayne St.	south	Barr St.	Lafayette St.
Wayne St.	north	Barr St.	Lafayette St.

SECTION 9. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-06-79 on the 13th day of March, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-40

SPECIAL ORDINANCE NO. S-45-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5823-78,
between the City of Fort Wayne, Indiana
and Dailey Asphalt Products Co., Inc. for
resurfacing a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated February 7, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Dailey Asphalt Products Company, Inc., for:

resurfacing and restoring pavement on Decatur Road
from the east pavement line of Lafayette Street to
the north curb line of Tillman Road,

under Board of Public Works Street Improvement Resolution No. 582378, at a total cost of $96,920.05, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-45-79 on the 13th day of March, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-36

SPECIAL ORDINANCE NO. S-46-79

AN ORDINANCE approving City Utilities purchase Order No. 0842 with Rockwell International for meters for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0842, dated February 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Rockwell International for:

Ten Standard Register Piston Water Meters with readings for cubic foot registers for Water Maintenance & Service Department,

at a cost of $2,180.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-46-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-37

SPECIAL ORDINANCE NO. S-47-79

AN ORDINANCE approving City Utilities Purchase Order No. 0870 with General Electric Company for lens for the Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0870, dated February 9, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, for:

400 Town and Country Lens, 175 W. for use in the City Street Lighting System for Street Lighting Department,

at a cost of $2,232.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-47-79 on the 13th day of March, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-38

SPECIAL ORDINANCE NO. S-48-79

AN ORDINANCE approving City Utilities Purchase Order No. 0871 with Walker Process Division of Chicago Bridge & Iron Company for supplies for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0871, dated February 7, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Walker Process Division of Chicago Bridge & Iron Company, for:

Asbestos Gaskets, Refractory Shell Assemblies and Carball Shell, essential replacement spare parts necessary for operation of Carball Units at Three Rivers Filtration Plant,

at a cost of $8,073.70, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. s-48-79 on the 13th day of March, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-39

SPECIAL ORDINANCE NO. S-49-79

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-0881 for uniform rental for the Street Department and City Utilities Personnel

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B0881, dated February 9, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Mechanics Laundry & Supply Inc., for:

Uniform rental from April 1, 1979 to March 31, 1980, for the Street Department and City Utilities Personnel, as requested by the General Superintendent of City Utilities,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorportated herein and made a part hereof, be and the same is in all things ratified confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hunter, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Three
Hinga, Nuckols, D. Schmidt

Date: 3-13-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-49-79 on the 13th day of March, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 19th day of March, 1979, at the hour of 11:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-05

SPECIAL ORDINANCE NO. S-50-79

AN ORDINANCE approving an Agreement to
Purchase by McMahon Paper Company

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated February 14, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the McMahon Paper Company, Inc., for:

Lot 5 Laterniers Sub. to the City of Fort Wayne,
Allen County, Indiana,

for a gain to the City of $545.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-50-79 on the 27th day of March, 1979

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-06

SPECIAL ORDINANCE NO. S-51-79

AN ORDINANCE approving a contract
between Community Development and
planning and Fort Wayne Metropolitan
Human Relations Commission

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 1, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and Community Development and Planning and the Fort Wayne Metropolitan Human Relations Commission, for:

development and implementation of a Fair Housing
Program in compliance with the Community Develop
ment Block Grant regulations,

all as more particularly set forth in said contract which is on file in the office of Community Development and Planning and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hinga, Hunter, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
D. Schmidt
Abstained: ONe
Burns
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-51-79 on the 27th day of March, 1979

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-31

SPECIAL ORDINANCE NO. S-52-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (PERFECTION BISCUIT COMPANY PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO.

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Perfection Biscuit Company Project regarding the financing of proposed economic development facilities for Perfection Biscuit Company and the Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on June 16, 1978 and also adopted Resolutions on June 16, 1978, and March 20, 1979, which Resolutions have been transmitted hereto, finding that the financing of certain economic development facilities of Perfection Biscuit Company complies with the purposes and provisions of I.C. 18-6-4.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, and Mortgage and Indenture of Trust; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Perfection Biscuit Company for the acquisition and construction of such facilities and the equipping hereof, the payment of the revenue bonds by the note payments of Perfection Biscuit Company under the Loan Agreement and Note, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust complies with the purposes and provisions of I.C. 18-6-4,5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The final forms of the Loan Agreement, Note, and Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 18-6-4.5), shall be incorporated hereby by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

SECTION 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Perfection Biscuit Company Project), in the total principal amount of Four Million Dollars ($4,000,000) for the purpose of procuring funds to pay the cost of acquisition, construction

and equipping of the economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the note payments made by Perfection Biscuit Company under the Loan Agreement and Note or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

SECTION 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 8 - 1/4% per annum and at a price not less than 100% of the principal amount thereof.

SECTION 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary, or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk and/or Controller are authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

Section 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1979 (Perfection Biscuit Company Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

Section 7. This Ordinance shall be full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-52-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-32

SPECIAL ORDINANCE NO. S- 53-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (BRADTMILLER PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Paul A. Bradtmiller Project regarding the financing of proposed economic development facilities for Paul A. Bradtmiller and the Fort Wayne Planning Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on July 25, 1978 and March 20, 1979, and also adopted resolutions on said dates which Resolutions have been transmitted hereto, finding that the financing of certain economic development facilities of Paul A. Bradtmiller complies with the purposes and provisions of I.C. 1864.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Lease Agreement, Sublease Agreement, Assignment of Sublease, Guaranty Agreement, and Mortgage and Indenture of Trust; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Lease Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the use of the proceeds of the revenue bonds for the acquisition and construction of such facilities to Paul A. Bradtmiller, the sublease of said facilities by Paul A. Bradtmiller, as a developer, to Don Ayres Pontiac, Inc., as user, the payment of the revenue bonds by the rent payments of Paul A. Bradtmiller under the Lease Agreement, the guarantee of the payment of the principal and interest on the revenue bonds by Paul A. Bradtmiller under the Guaranty Agreement, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust and the assignment of the Sublease Agreement to the Trustee, complies with the purposes and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Lease Agreement, Sublease Agreement Assignment of Sublease, Guaranty Agreement, and Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Bradtmiller Project), in the total principal amount of Seven Hundred Thousand Dollars ($700,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of th economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Lease Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the rent payments made by Paul A. Bradtmiller under the Lease Agreement and from other revenues and income assigned under the Assignment of Sublease or as otherwise provieed in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor, Clerk, and Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 8% per annum and at a price not less than 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

Section 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1979 (Bradtmiller Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S=53-79 on the 27th day of March, 1979

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-33

SPECIAL ORDINANCE NO. S-54-79

AN ORDINANCE authorizing the issuance and sale of $4,000,000.00 First Mortgage Revenue Bonds, Series 1979, Perfection Biscuit Company, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Perfection Biscuit Company, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing sale of said bonds

WHEREAS, the First Economic Development Commission has developed and filed with the City Plan Commission and the Fort Wayne Community Schools a "Report of Fort Wayne Economic Development Commission Regarding Facilities to be constructed for Perfection Biscitt Company" and the City Clerk has presented the same to the Comon Council; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the economic development facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Economic Development Commission adopted a resolution approving the financing of said economic development facilities as described in said Report to be financed by the issuance and sale of revenue bonds to the City of Fort Wayne and the lease of said facilities to Perfection Biscuit Company, Lessee, and approving a Lease Agreement, Mortgage and Indenture of Turst, and finding that the proposed financing complies with the purposes and provisions of IC 1971, 1864.51 1864.529; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Economic Development Commission together with the comments thereon by the City Plan Commission and the Fort Wayne Community Schools

be accepted and ordered filed.

SECTION 2. That the Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Economic Development Commission.

SECTION 3. The financing of the acquisition and construction of the economic development facilities by the issuance and sale of First Mortgage bonds of the City of Fort Wayne, as previously approved by the Fort Wayne Economic Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Loan Agreement and the Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in IC 1971, 1864.51 1864.529. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Develpment First Mortgage Revenue Bonds (Perfection Biscuit Company Project) in the total principal amount of $4,000,000.00 for the purpose of providing funds to Perfection Biscuit Company to acquire and construct the project (all as more particularly set out in the Loan Agreement and Mortgage and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Perfection Biscuit Company pursuant to the provisions of the financing agreement and other sources as provided in the Loan Greement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 8 1/1% per annum and at a price of 100% of the principal amount of such bonds. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of the company to assist in the sale of such bonds.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other documents which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to deliver such bonds to the Trustee named on the Mortgage and Indenture of Trust for delivery to the purchasers therefor, payment for which shall be made to the Trustees named in the Mortgage and Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing such bonds shall constitute a contract binding between Series 1979, P erfection Buscuit Company, and after the issuance of said bonds
this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-54-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-03-35

RESOLUTION NO. R-14-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $8,000,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project.

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or lease to a company or sold to a company; and

WHEREAS, Covington Plaza Center, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 115,438 square foot shopping center, including the real estate on which it is located and to be located at U.S. 24 and Covington Road, Fort Wayne, Indiana, on an approximate 24 acre tract of land (the "Project"); and

WHEREAS, the diversification of economic development and increase in 635 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $8,000,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such pruposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually

acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. R-14-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

RESOLUTION NO. R-79-03-34

RESOLUTION NO. R-15-79

A RESOLUTION finding, determining
and ratifying an inducement resolution of the
Fort Wayne Economic Development Commission
authorizing the issuance and sale of $7,989,000
Economic Revenue Bonds of the City of Fort
Wayne, Indiana, for the purpose of inducing
the applicant to proceed with the
acquisition, construction and equipping of the
Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to Issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Rogate Industries, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds

of such a financing to the Applicant for such purposes said economic development facility to be a 149,000 square foot factory building, including the real estate located in Baer Field Industrial Park, Fort Wayne, Indiana on an approximate 12 acre tract of land ("the Project"); and

WHEREAS, the Hoover Universal, Inc., a corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of economic development and increase in 108 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be pf public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $7,989,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond councel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-15-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-78-06-33

GENERAL ORDINANCE NO. G-07-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

"That portion of Glenn Avenue extending from the East rightofway of Eleanor Avenue East to the West rightofway to the NorthSouth Alley (approximately 145 feet).

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-07-79 on the 27th day of March, 1979

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-01-10

GENERAL ORDINANCE NO. G-08-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

"That portion of Rathert Lane, an eastwest street, approximately twentyfive (25) feet in width, running approximately 171.13' feet along and adjacent to the northern property line of Lot 4, Fernhill Place Amended Addition to the City of Fort Wayne, Indiana;"

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Stier, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-08-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-01-25

GENERAL ORDINANCE NO. G-09-79

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance wth Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

"Commencing at the most westerly corner of Lot #1 C.L. Centlivre Brewing Co. Addition; thence south 42° 09' east a distance of 81.37 feet; thence south 6° 29' west a distance of 273.6 feet; thence south 9° 16' east 32.2 feet; thence south 80° 44' west a distance of 11.25 feet; thence north 19° 18' west a distance of 181.35 feet; thence north 6° 29' west a distance of 113.40 feet; thence north 42° 09' west a distance of 56.52 feet; thence north 15° 58' west a distance of 2.90 feet; thence north 19° 00' east a distance of 55.57 feet; thence south 42° 09' east a distance of 20.55 feet to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3 That this Ordinance shall be effective upon passage approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinancae No. G-09-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-76-09-11

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. HH-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. HH2, referred to therein, established by Section 9, Artilce III of said Chapter as amended, are hereby changed accordingly, towit:

Lots #232 thru #239 Country Club Terrace, Section A, generally located on the North side of Covington Road, east of Sheffield Drive and west of South Bend Drive.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Seven
Burns, Hinga, Hunter, Nuckols, V. Schmidt, Stier, Talarico
Abstained: One D. Schmidt
Absent: One Moses
Date: 3-27-79
Charles W. Westerman
City Clerk

BILL NO. S-79-03-11

SPECIAL ORDINANCE NO. S-55-79

AN ORDINANCE amending certain sections
of Chaper 24 "Sewer and Sewerage Systems"
of the Code of the City of Fort Wayne, Indiana
of 1974 to allow for water consumption for
sprinkling for a threemonth summer period

WHEREAS, it is necessary to amend Chapter 24 of the Code of the City of Fort Wayne, Indiana of 1974, "Sewer and Sewerage Systems", to allow for water consumption for sprinkling for a threemonth summer period, for residential water customers only, this usage to be exempted in computing sewer charges.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24, Article VI "Service Charges Based on Water Usage", Item 603 is amended to be and read as follows:

603. Exempt Water General Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the City to install at his own expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage measuring device or devices to determine the volume of sewage that actually enters the sewerage system; when appropriate, the City reserves the right to determine by whatever other means and methods it may find practicable the percentage of the property's metered water that enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served.

SECTION 2. That Chapter 24, Article VI "Service Charges Based on Water Usage", is hereby amended by adding thereto the following:

605. Exempt Water Sprinkling. A residential water consumer shall be billed for sewage service beginning with the billing of District 19 around the beginning of July and ending with the billing of District 17 around the beginning of October as follows: The monthly sewage charge shall be the lesser of a charge based on the actual (or estimated water consumption) or a charge based on twice the consumer's average monthly consumption during the prior bimonthly meter reading period. This bimonthly period begins with the reading or estimating of District 19 around the middle of March. A new account without a bimonthly meter reading period prior to the exempt water sprinkling period shall be billed the lesser of a charge based on the actual (or estimated water consumption) or a charge based on twice the minimum sewage rate during the sprinkling period. A water consumer without an actual read at the end of the exempt water sprinkling period shall be allowed a sewer credit based on an average monthly usage as computed from the date of the Utilities' last actual read to the date of the Utilities actual read made after the end of the exempt water sprinkling period.

The provisions of this section shall not apply to any residential water consumers who use any part of their water for any commercial or industrial purpose. In no case, however, shall the sewage charge be less than the minimum for the water meter size installed.

SECTION 3. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by HInga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hinga, D. Schmidt, Stier, Talaric
Nays: Three
Hunter, Nuckols, V Schmidt
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-55-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-12

SPECIAL ORDINANCE NO. S-56-79

AN ORDINANCE approving a contract with
Bercot, Inc., for Sewer Improvement
Resolution No. 302-78

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 31, 1979, between the City of Fort Wayne,

Indiana, by and through its Mayor and the Board of Public Works, and Bercot, Inc., for:

Sewer Improvement Resolution No. 30278, for the construction of a sanitary sewer to serve the Kruge Place Addition area,

for a total cost of $193,006.00, which will be paid by Water Pollution Control Utility with reimbursement by property owners at time of tapin, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2/ That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-56-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-13

SPECIAL ORDINANCE NO. S-57-79

AN ORDINANCE approving a contract with
T & G Excavating, Inc. for Sewer Improvement
Resolution No. 876-78

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated January 30, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & T Excavating, Inc., for:

Sewer Improvement Resolution No. 87678, for the construction of a sanitary sewer to serve the McKinleyConnettEdwards area,

for a total cost of $198,979.20, which will be paid under Barrett Law, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-57-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-14

SPECIAL ORDINANCE NO. S-58-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0893 with Glenbrook
Dodge, Inc. for a vehicle for the
Technical Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0893, dated February 20, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Glenbrook Dodge, Inc., for:

One 1979 Dodge Ramcharger Two Door, Four Wheel Drive
Vehicle for the Technical Services Department,

at a cost of $7,834.69, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-58-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-15

SPECIAL ORDINANCE NO. S-59-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0886 with DeHaven
Chevrolet, Inc. for a truck for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0886, dated February 15, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and DeHaven Chevrolet, Inc. for:

One 1979 Chevrolet Van Truck for the Water Maintenance
& Service Department,

at a cost of $10,460.92, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 3-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-59-79 on the 27th day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-02-19 (AS AMENDED)

SPECIAL ORDINANCE NO. S-60-79

AN ORDINANCE fixing the salaries and
compensation of the elected City Officials
of the City of Fort Wayne, Indiana

WHEREAS, Section 48-1233 et seq. Burns Indiana Statutes Annotated, Volume 9, Part 1, Replacement, provides that the Common Council of each city shall, on ordinance duly enacted on or before the first day of April of the year in which elections of city officers are held, fix the annual salaries of all elected city officials; and

WHEREAS, the year 1979 is a year in which elections of city officers are held.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That from and after the first day of January, 1980, the elected officials of the City of Fort Wayne, Indiana, shall receive the following salaries per year in full for all governmental services, payable in biweekly installments:

Mayor	$32,000.00
Each member of the Common Council of the City of Fort Wayne, Indiana	$ 5,500.00
City Clerk of the City of Fort Wayne, Indiana	$17,000.00

SECTION 2. This Ordinance shall be published twice in a newspaper printed in the English language and generally circulated in the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Burns, Hinga, Moses, Nuckols, Talarico
Nays: Three
Hunter, D. Schmidt, Stier
Absent: One
Moses

Date: 3-31-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-60-79 on the 31st day of March, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 2nd day of April, 1979, at the hour of 12:30 o'clock P.M.,E.S.T.

Charles W.Westerman
City Clerk

Approved and signed by me this 6th day of April, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-04-06

RESOLUTION NO. R-16-79

A RESOLUTION approving Section 8 -
Existing Project by the Housing
Authority of the City of Fort Wayne,
Indiana

WHEREAS, The Housing Authority of the City of Fort Wayne, Indiana, (hereinafter called "Housing Authority"), proposes to operate a project under the Housing Assistance Payments Program of Section 8 Existing Housing of the United States Housing Act of 1973 as amended (hereinafter called "U.S. Housing Act"); and

WHEREAS, pursuant to Indiana's Housing Authorities Act as amended, the Housing Authority may not initiate a project until it is approved by the local governing body which activated the Housing Authority.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a project, which will be operated by the Housing Authority pursuant to the Housing Assistance Payments Program of Section 8 of the U.S. Housing Act and which will include assistance on behalf of up to approximately fifty eligible elderly persons fifty (50) units proposed for the elderly, to located within a fivemile radius outside of the City of Fort Wayne, Indiana, Allen County, is hereby approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-16-79 on the 10th day of April, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-04 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-11-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-14 and M-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R3 District Multiple Family Residential under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbole of the City of Fort Wayne Zoning Map No. L14 and M14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, towit:

Legal Description of St. Vincent's Villa Property, Part of the South Half of Section 35, Township 31 North, Range 12 East, Allen County, Indiana described as follows:

Beginning at an iron pin set at the intersection of the South Line of Jacobs Street and the East Line of Wells Street; thence North 89 degrees, 59 minutes, 50 seconds East along the South Line of Jacobs Street, 491.63 feet to a pin set; thence South 00 degrees, 00 minutes, 10 seconds East, 136.3 feet to a pin set; thence north 89 degrees, 59 minutes, 50 seconds East, 125.83 feet to a pin set; thence North 00 degrees, 00 minutes, 10 seconds West, 136.3 feet to a pin set; thence North 89 degrees, 59 minutes, 50 seconds East along the South Line of Jacobs Street, 458.62 feet to an iron pin set on the West Line of the 100foot right-of-way of the Fort Wayne & Jackson Railroad Company; thence South 33 degrees, 27 minutes, 29 seconds East along the westerly line of said 100foot right-of-way of the Fort Wayne & Jackson Railroad Company, 667.37 feet to a point marking the common property line between Superior Metals/Penn Central Railroad and the St. Vincent's Villa; thence South 18 degrees, 52 minutes, 42 seconds West along the said common property line, 335. 08 feet to a point; thence South 89 degrees, 55 minutes, 08 seconds West continuing along said common property line, 631.03 feet to a pipe found; thence South 89 degrees, 55 minutes, 08 seconds West along the North Line of Putnam Avenue , 618.84 feet to a pin set; thence North 45 degrees, 00 minutes, 50 seconds West, 18.36 feet to a pin marking the East Line of Wells Street; thence North 00 degrees, 03 minutes, 12 seconds East along the East Line of Wells Street, 299.06 feet to a pin set; thence North 07 degrees, 23 minutes, 05 seconds West continuing along the East Line of Wells Street, 568.10 feet to the Point of Beginning. Containing therein 24.85 acres, more or less, and subject to all legal easements and right-of-ways.

.4-ACRE EXCEPTION

Legal description of 0.4-acre tract, being an exception of St. Vincent's Villa Property, part of the South Half of Section 35, Township 31 North, Range 12 East, Allen County, Indiana, described as follows:

Commencing at an iron pin at the intersection of the South Line of Jacobs Street and the East Line of Wells Street; thence North 89 degrees, 59 minutes, 50 seconds East along the South Line of Jacobs Street, 491.63 feet to a pin set, marking the Point Of Beginning; thence continuing North 89 degrees, 59 minutes, 50 seconds East along the South Line of Jacobs Street, 125.83 feet to a pin set; thence South 00 degrees, 00 minutes, 10 seconds East, 136.3 feet to a pin set; thence South 89 degrees, 59 minutes, 50 seconds West, 125.83 feet to a pin set; thence North 00 degrees, 00 minutes, 10 seconds West, 136.3 feet to the Point Of Beginning; containing therein 0.4 acres, more or less, and subject to all legal easement and right-of-ways. Said tract has located on it two residences and a garage.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmdit, V. Schmidt, Stier, Talrico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-11-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-08

ZONING MAP ORDINANCE NO. Z-12-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-10

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District Light Industrial under the terms of chapter 22, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L10, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 38, 40, 42 and 44 of the Northside Addition
in Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-12-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-35

ZONING MAP ORDINANCE NO. Z-13-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-04-79

WHEREAS, there appears to be a scrivenor's error in the legal description in Zoning Map Ordinance No. Z0479 which should be corrected.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Zoning Map Ordinance No. Z0479 amending Zoning Map No. L7 is hereby repealed.

SECTION 2. That the area described as follows is hereby designated a R1 District One Family Residential, under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Carl J. Weber's Addition Lots #1 thru 15
A. Kinnaird's Addition Lots #1 thru 15
Zollar's & Mason's Addition Lots #21 thru 40
A.D. Bradriff's Addition Lots #1 thru 45
Bond & Bradriff's Addition Lots #31 thru 45

SECTION 3. That this Ordinance shall be effective upon passage approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map No. Z-13-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-07

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. J-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. J7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot #15 in Sunny Side Gardens Addition In
the NW 1/4 Sec. 15 T30NR12E in Wayne Twp.
of Fort Wayne, Indiana (2230 Nuttman Ave.)

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
Burns
Nays: Six
Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

BILL NO. G-78-10-31

GENERAL ORDINANCE NO. G-10-79

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

"That portion of Rathert Lane, as eastwest street,
approximately twentyfive (25) feet in width, said
portion running from the east property line of Dusing Avenue to the west property line
of Lot No. 5 in Fernhill Place Amended Addition to the City of Fort Wayne, Indiana."

ALSO

"That portion of Dusing Avenue, a northsouth street,

approximately fifty (50) feet in width, said portion running from the south property line of Rathert Lane to a point twentyfive (25) feet north of the south property line of Lot No. 5 in Fernhill Place Amended Addition to the City of Fort Wayne, Indiana."

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-10-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-22

SPECIAL ORDINANCE NO. S-61-79

AN ORDINANCE approving City Utilities Purchase Order No. 0914 with Asphalt Maintenance, Inc. for pavement restoration for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilties Purchase Order No. 0914, dated March 5, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Asphalt Maintenance, Inc., for:

restoration of approximately 800 asphalt street cuts made by the Water Maintenance and Service Department in the process of water main work being done, size of the cuts unknown,

all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-61-79 on the 10th day of April, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-23

SPECIAL ORDINANCE NO. S-62-79

AN ORDINANCE approving City Utilities Purchase Order No. 0935 with Hefner Chevrolet, Inc. and City Utilities Purchase Order No. 0936 with Hoosier Truck Equipment, Inc. for vehicles for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0935, dated March 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Hefner Chevrolet, Inc., for:

One 1979 one ton pick up with bed in amount of $5,776.00 and two 1979 one ton pick ups, cab and chassis only in amount of $10,035.00, for Water Maintenance & Service Department,

at a total cost of $15,810.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That City Utilities Purchase Order No. 0936, dated March 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Hoosier Truck Equipment, Inc., for:

Two utility bodies for mounting on the above two pick ups purchased from Hefner Chevrolet, Inc.,

at a cost of $3,352.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 3. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-62-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-24

SPECIAL ORDINANCE NO. S-63-79

AN ORDINANCE approving City Utilities Purchase Order No. 0931 with Hersey Meter Company for equipment for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0931, dated March 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Hersey Meter Company, for:

Water meter supplies and replacement parts for use by the Water Maintenance & Service Department,

at a cost of $3,537.90, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-63-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-25

SPECIAL ORDINANCE NO. S-64-79

AN ORDINANCE approving a contract with
T & F Construction Corporation, for
Street Light Improvement Resolution
No. 134-78, Victoria Park Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated March 14, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation, for:

Street Light Improvement Resolution No. 134-78,
for the installation of ornamental street lighting
in Victoria Park Addition,

for a total cost of $14,069.80, which will be paid under Barrett Law, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-64-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-26

SPECIAL ORDINANCE NO. S-65-79

AN ORDINANCE approving a contract with
T & F Construction Corporation, for
Street Light Improvement Resolution
No. 135-78, East Central Phase III & IV
Impact Area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated March 14, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation, for:

Street Light Improvement Resolution No. 135-78,
for the installation of ornamental street lighting
for East Central Phase III & IV Impact Area,

for a total cost of $25,344.10, which will be paid by Community Development and Planning funds, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-65-79 on the 10th day of April, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-27

SPECIAL ORDINANCE NO. S-66-79

AN ORDINANCE approving a contract with
T & F Construction Corporation, for
Street Light Improvement Resolution
No. 132-78, Devonshire Drive.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated March 14, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation, for:

Street Light Improvement Resolution No. 132-78, for
the installation of ornamental street lighting on
Devonshire Drive,

for a total cost of $6,593.60, which will be paid under Barrett Law, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-66-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-28

SPECIAL ORDINANCE NO. S-67-79

AN ORDINANCE approving a contract for
Water Contract No. 78-XP-3, between
the City of Fort Wayne, Indiana and
North Eastern Construction Company,
for construction of water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated March 14, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and North Eastern Construction Company, for:

construction of a 16" water main along Rothman Road
from MeriWood Drive eastward 1000 ±LF, in Tanbark,
Section I,

under Board of Public Works Water Main Contract Agreement No. 78XP3, at a total cost of $24,117.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-67-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-29 (as amended)

SPECIAL ORDINANCE NO. S-68-79 (as amended)

AN ORDINANCE approving City Utilities
Purchase Order No. 0915 with Siebold-Price
Tree & Landscaping Co., Inc. for restoration for
the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0915, dated March 5, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and SieboldPrice Tree & Landscaping Co., Inc. for:

restoration necessary as result of water hydrant repair/installation being done by the Water Maintenance & Service Department, the landscaping company to do approximately 500 restorations,

all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-68-79 (as amended) on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-03-30

SPECIAL ORDINANCE NO. S-69-79

AN ORDINANCE approving City Utilities Purchase Order No. 0948 with Cambridge Memories, Inc. for Computer Memory Equipment in Data Processing Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0948, dated March 16, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Cambridge Memories, Inc., for:

The purchase of add on computer memory (already installed on lease, stabilized and functioning reliably) in Data Processing Department,

at a cost of $26,634.50, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Moses

Date: 4-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-69-79 on the 10th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

James S. Stier
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2:00 o'clock P.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of April, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-03

SPECIAL ORDINANCE NO. S-70-79

AN ORDINANCE approving an Agreement to purchase Real Estate from Thomas Swihart for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated March 27, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Thomas Swihart, for:

East 22 feet of South 100 feet of Lot 14 Chute Addition, Fort Wayne, Indiana

for the total cost of $3,500.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-70-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-04

SPECIAL ORDINANCE NO. S-71-79

AN ORDINANCE approving an Agreement to
purchase Real Estate from David and
Flo Ann Cain for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated April 2, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and David and Flo Ann Cain, for:

Lot 12 Romy's 2nd. Addition, Fort Wayne, Indiana

for the toal cost of $4,100.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-71-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-05

SPECIAL ORDINANCE NO. S-72-79

AN ORDINANCE approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for Fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated March 26, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and International Harvester Company, for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

All buildings and improvements of IHC located in an area bounded by New Haven Avenue on the North; Meyer Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street extended, with the exception of the ND Warehouse property (Harback Realty Co.) located on the SE corner of the above area.

SECTION 2. That the cost of International Harvester Company shall be the sum of $65,937.38, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made apart hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

BILL NO. R-79-04-15

RESOLUTION NO. R-16-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been recevied and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Board of Works vehicle No. 2 1978 Chevrolet, Blazer, License Plate #72651T	$177.40	Hefner Chevrolet
2)	Police Dept. vehicle No. 104, 1977 Ford, 4 door sedan License Plate #45N6923	144.65	Northway Chrysler Plymouth
3)	Police Dept. vehicle No. 7, 1978 Ford, 4 door sedan License Plate #M017197	181.50	Allen County Motors
		$503.55	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-16-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-04-16

RESOLUTION NO. R-17-79

A RESOLUTION authorizing payment to
Elliott Equipment Company for repair
parts for the Traffic Engineering
Department (Signal Division)

WHEREAS, the Traffic Engineering Department (Signal Division) was in need of repair parts, and insurance monies in reimbursement for such repair parts have been received and receipted by the City Controller in the amount of $241.10, and Elliott Equipment Company furnished said repair parts;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay $241.10 to Elliott Equipment for furnishing such repair parts, upon receipt of a proper voucher from the City Traffic Engineer.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-17-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-09

ZONING MAP ORDINANCE NO. Z-14-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District - Multiple Family Residential under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. R22, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of Lot #3 and part of Lot #4 in Parkwood Place as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the southwest corner of Lot #4 in Parkwood Place as recorded in the plat therof in the Office of the Recorder of Allen County, Indiana, said point being 40 feet east of the west line of the West Half of the Southwest Quarter of Section 29, Township 31 North, Range 13 East, Allen County, Indiana; thence east along the south line of Lot #4, a distance of 152.2 feet, said point being 1.8 feet west of the southeast corner of Lot #4; thence north with a deflection angle to the left of 89 degr. 52 min. 10 sec. a distance of 148 feet; thence west with a deflection angle to the left of 90 degr. 07 min. 50 sec. a distance of 152.2 feet to a point on the west line of Lot #3; thence south with a deflection angle to the left of 89 degr. 52 min. 10 sec. along the west line of Lot #3 and Lot #4 a distance of 148.0 feet to the point of beginning, containing 0.52 acres.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: One
V. Schmidt

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-14-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-33

ZONING MAP ORDINANCE NO. Z-15-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District Light Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N22, referred to therein, established by Section 3311, of said chapter are hereby changed accordingly, to wit:

Lot number 95 in third Highland Park Addition to the City of Fort Wayne, Indiana, more commonly known as 511 Constance Avenue, Fort Wayne, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
V. Schmidt
Abstained: One
Hunter

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-15-79 on the 24th day of April, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-32

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. Q-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M2 District General Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. Q7, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot 75 and Lots 11 thru 20 in Gandy's Addition to the
City of Fort Wayne, Allen County, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
D. Schmidt, V. Schmidt
Nays: Seven
Burns, Hinga, Hunter, Moses, Nuckols, Stier, Talarico

Date: 4-24-79

Charles W. Westerman
City Clerk

BILL NO. R-79-04-17

RESOLUTION NO. R-18-79

A RESOLUTION approving the construction of
East Central Towers as a low income housing
project by the Fort Wayne Housing Authority

WHEREAS, the Fort Wayne Housing Authority has found that a shortage of decent, safe and sanitary housing for persons and families of low income exists in Fort Wayne, Indiana (the "Locality"), in which finding this Council concurs; and

WHEREAS, the Fort Wayne Housing Authority proposes that a mulitfamily housing project be constructed in the Locality to consist of approximately 166 dwelling units intended for occupany by elderly persons and other persons and families of low income, which project has been designated "East Central Towers" and has been approved for assistance by the Federal Housing Administration of the U.S. Department of Housing and Urban Development as FHA Project 07335307PML8 (the "Project"); and

WHEREAS, East Central Towers Finance Corporation, an Indiana notforprofit corporation (the "Corporation"), is being created to facilitate construction and permanent mortgage financing for the Project by the issuance and sale of its notes or other obligations; and

WHEREAS, Section 11(b) of the United States Housing Act of 1937 provides for financial assistance with respect to low income housing projects such as the Project by authorizing an exemption from federal income taxation for interest paid on obligations issued by an entity, such as the Corporation, and further authorizes an exemption from federal income taxation for the income derived by such entities from such housing projects; and

WHEREAS, in order for the Authority to obtain such assistance from the federal government under said Section 11 (b) of the United States Housing Act of 1937, it is necessary for the Fort Wayne Housing Authority (the "Authority") to make certain determinations and enter into certain agreement with respect to the Project and the Corporation, all of which have been accomplished, and

WHEREAS, under the Indiana Housing Authorities Act, any housing project to be initiated by the Authority must first be approved by this Council as the governing body which activated the Authority; and

WHEREAS, this Council is full informed concerning the nature of the Project and now further finds that it is in the public interest that the Authority and the Corporation to proceed with the Project as planned.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, IN:

SECTION 1. That the East Central Towers Project of the Fort Wayne Housing Authority is hereby approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-18-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-09

SPECIAL ORDINANCE NO. S-73-79

AN ORDINANCE approving City Utilities Purchase Order No. 0972 with Treaty Company for equipment for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0972, dated March 23, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Treaty Company, for:

Various Ext. Kits for use with Mueller Fire Hydrants in stock and in use for Water Maintenance & Service Department,

at a cost of $2,790.84, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None

Date: 4-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordi nance No. S-73-79 on the 24th day of April, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of May, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-11

SPECIAL ORDINANCE NO. S-74-79

AN ORDINANCE of the City of Fort Wayne, Indiana,
authorizing the issuance and sale of bonds of the
City for the purpose of providing funds to be
applied on the cost of improving Baer Field
and expenses incurred in connection therewith

WHEREAS, by the adoption by the Common Council of an ordinance, the City of Fort Wayne has heretofore created a Department of Aviation under the control of the Board of Aviation Commissioners pursuant to Indiana Code 1961; and

WHEREAS, the Board of Aviation Commissioners of the Department of Aviation of the City of Fort Wayne has found that it would be for the best interests of said City to provide for improving Baer Field, an airport owned and operated by the City of Fort Wayne, including expansion and improvement of terminal facilities, the purchase and installation of certain equipment, and site improvements to roadways and parking areas at said airport; and has determined that the estimated cost of said project, over and above funds available for such purposes, will be in the approximate amount of Two Million Six Hundred Thousand Dollars ($2,600,000); and

WHEREAS, the Board of Aviation Commissioners has filed a request for an appropriation in the amount of Two Million Six Hundred Thousand Dollars ($2,600,000) on account of said project, which request has been approved by the City Controller, with the recommendation that the funds necessary to cover said appropriation be obtained by the issuance and sale of general obligation bonds of the City; and

WHEREAS, a petition has been filed under the provisions of Indiana Code 61.1203, by more that fifty (50) owners of taxable real estate in the City of Fort Wayne, requesting the Common Council to issue bonds of the City in an amount not exceeding Two Million Six Hundred Thousand Dollars ($2,600,000) for the purpose of procuring funds to be applied on the cost of said project, which petition the Council finds to be in due form of law and sufficient under the provisions of said act; and

WHEREAS, the Council now finds that said improvements are necessary, will be for the best interests of said City, and will be of general benefit to the entire City and its citizens; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the City of Fort Wayne (hereinafter sometimes referred to as the "City"), by and through its Board of Aviation Commissioners of the Department of Aviation, proceed with the construction of improvements to Baer Field, an airport owned and operated by the City of Fort Wayne (hereinafter sometimes referred to as "Airport"), including the expansion and improvement of terminal facilities, purchase and installation of certain equipment, and site improvements to roadways and parking areas at said airport, in accordance with the plans and specifications which have been or may hereafter be approved by said Board of Aviation Commissioners.

Section 2. For the purpose of providing funds to be applied on said project, including the incidental expenses necessary to be incurred in connection therewith and the issuance of bonds on account thereof, the City shall make a loan in the amount of Two Million Six Hundred Thousand Dollars ($2,600,000). In order to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable direct obligation bonds of the City, to be designated as "Airport Improvement Bonds of 1979", in the aggregate principal amount of Two Million Six Hundred Thousand Dollars ($2,600,000), which bonds shall be issued in the denomination of Five Thousand Dollars ($5,000), shall be numbered consecutively from 1 upwards, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding six and onequarter per cent (6 1/4%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable on January 1, 1980, and semiannually thereafter, and shall be evidence by coupons attached to said bonds. Both bonds and interest coupons shall be payable at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, in lawful money of the United States of America. The bonds shall mature serially on January 1 in the years and amounts as follows:

Years	Amounts
1982	$500,000
1983 2003 inclusive	100,000

Said bonds shall be executed in the name of the City of Fort Wayne by the facsimile signature of the Mayor of said City, countersigned by the facsimile signature of the City Controller, and attested by the manual signature of the City Clerk, who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller, and said official, by the execution of said bonds in the foregoing manner, shall adopt as and for his own proper signature his facsimile signature appearing on said coupons. Said bonds shall, in the hands of bona fide holders, have all of the qualities of negotiable instruments.

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, towit:

UNITED STATES OF AMERICA

State of Indiana County of Allen

No._____ $5,000

CITY OF FORT WAYNE
AIRPORT IMPROVEMENT BOND OF 1979

The City of Fort Wayne, in Allen County, Indiana, for value received, hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal amount of

FIVE THOUSAND DOLLARS

on the first day of January, 19____, to pay interest thereon from the date hereof until the principal is paid, at the rate of _____per cent (_____%) per annum, payable on the first days of January and July in each year, beginning January 1, 1980, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of Arerica at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana.

This bond is one of an authorized issue of five hundred twenty (520) bonds of the City of Fort Wayne, of like date, denomination, tenor and effect, except as to rates of interest and dates of maturity, aggregating Two Million Six Hundred Thousand Dollars ($2,600,000), numbered consecutively from 1 to 520 inclusive, issued for the purpose of providing funds to be applied on the cost of improving Baer Field, an airport owned and operated by the City of Fort Wayne, pursuant to an ordinance adopted by the Common Council of said City on _____, 1979, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of providing funds to be applied on the cost of improving Baer Field, and expenses incurred in connection therewith", and in accordance with the governing statutes of the State of Indiana, including Indiana Code 1961, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as required by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana; and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal of and interest on this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, be ordinance of its Common Council, has caused this bond to be executed in its corporate name by the facsimile signature of its Mayor, countersigned by the facsimile signature of its City Controller, it corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first day of _____, 1979.

CITY OF FORT WAYNE

By_____(facsimile)
Mayor

Countersigned:

_____ (facsimile)
City Controller

Attest:

_____ City Clerk

(Interest Coupon)

Coupon No. _____ $___._____

On_____1, 19_____,

the City of Fort Wayne, Indiana, will pay to bearer at the Indiana Band and Trust Company of Fort Wayne, in said City, the amount shown hereon, in lawful money of the United States of America, being the interest then due on its Airport Improvement Bond of 1979, dated_____1, 1979, No._____.

CITY OF FORT WAYNE

By_____(facsimile)
City Controller

Section 4. As soon as may be done after the passage of this ordinance, the City Clerk shall give notice of the filing of the petition for and determination to issue bonds. Said notice shall be published once each week for two (2) weeks in the Fort Wayne NewsSentinel and the Fort Wayne Journal Gazette, and said notice shall also be posted in three (3) public places in the City, as provided by Indiana Code 61.1204 and 61.1205.

Said bonds shall not be advertised for sale prior to the expiration of the period during which taxpayers may file remonstrances or objecting petitions to the issuance of said bonds. In the event a remonstrance shall be filed by the owners of taxable real estate under the provisions of Indiana Code 61.1204, then no further steps towards the issuance of said bonds shall be taken unless and until the Common Council shall have determined that such remonstrance is insufficient. In the event an objecting petition or petitions are filed by taxpayers under the provisions of Indiana Code 61.1205, then no further steps towards the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the City Controller shall be authorized to advertise and sell a lesser amount of bonds, and the bonds not issued and sold shall be the bonds of the longest maturity or maturities.

Section 5. Prior to the sale of said bonds the City Controller shall cause to be published a notice of such sale once each week for two (2) weeks in the Fort Wayne NewsSentinel and the Fort Wayne Journal Gazette, and one time in The Indianapolis Commercial. The date fixed for the sale shall be not earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office at the time and date fixed in the bond sale notice, at which time and place he shall open and consider

said bids. Bidders for said bonds shall be required to name the rate or rates of interest which the bonds are to bear, not exceeding the rate hereinbefore named. Such interest rate or rates shall be in multiples of oneeight (1/8) or onetenth (1/10) of one per cent (1%), and not more than five (5) different interest rates shall be named by each bidder. All bonds maturing on the same date shall bear the same single rate of interest, and the interest due on any bond on any interest payment date shall be represented by a single interest coupon. The controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accured interest at the rate or rates named to the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without readvertising, but during such continuation no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said project, and shall be paid out of the proceeds of said bonds.

Section 6. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided. After said bonds shall have been properly executed, and upon consummation of the sale of said bonds, the City Controller shall be authorized to receive from the purchaser the amount so certified by the Controller and to deliver the bonds to such purchaser.

Section 7. This ordinance shall be in full force and effect immediately upon its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-74-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-13

SPECIAL ORDINANCE NO. S-75-79

AN ORDINANCE approving an Agreement to
to Purchase by Jessie Kidd

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase dated April 9, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Jessie Kidd for:

W 1/2 Lot 266, Lewis Addition to City of Fort Wayne,
Allen County, Indiana,

for a gain to the City of $125.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-75-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-14

SPECIAL ORDINANCE NO. S-76-79

AN ORDINANCE approving Civil City
Purchase Order No. 4-06184 with Morton
Salt Company for Salt for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order No. 406184, dated April 16, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Morton Salt Company, for the purchase of approximately 9,000 Tons of Type I Bulk Rock Salt at a cost of $22.90 Per Ton, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Neukols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-76-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-21

SPECIAL ORDINANCE NO. S-77-79

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF $5,375,000 REVENUE OBLIGATIONS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF MAKING A LOAN TO ST. JOSEPH MEDICAL BUILDING ASSOCIATES IN ORDER TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES: AND AUTHORIZING EXECUTION OF A LOAN AGREEMENT, INDENTURE OF TRUST AND OTHER DOCUMENTS IN CONNECTION THEREWITH

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Preliminary Statement. The following recitals establish the background for the financing authorized hereby:

(a) The City of Fort Wayne, Indiana, (hereinafter called the "City" by virtue of Indiana Code 1864.5, as amended (the "Act"), is authorized and empowered to make direct loans to "developers" or users" for the acquisition and construction of "economic development facilities" as those words are defined in the Act to overcome insufficient employment opportunities and insufficient diversification of business, commerce and industry in an near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to obtain funds to make such loan for payment of costs of acquisition or construction of such economic development facilities, including engineering, legal fees and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds pursuant to a trust indenture by the pledge of one or more notes of the developer or user; and

(b) St. Joseph Medical Building Associates (the "Partnership") is a limited partnership organized pursuant to the Indiana Uniform Limited Partnership Act having as its general partners Raymond H. Riddle of Oklahoma City, Oklahoma, and S. J. Management, Ltd., an Indiana limited partnership; and

(c) The Partnership has agreed to acquire and construct a medical office building and parking facilities on a parcel of land in the City adjacent to and leased from St. Joseph's Hospital of Fort Wayne, Inc. and therby create new employment opportunities and provide diversification of business commerce and industry in and near the City, and make payments on its note or notes evidencing its loan obligations

in an amount or amounts sufficient to pay the principal of and interest and premium, if any, on the economic development revenue bonds hereinafter authorized; and

(d) The Fort WayneEconomic Development Commission (the "Commission"), functioning and operating under the Act, has found by written resolution that because of insufficient employment opportunities and insufficient diversification of business, commerce and industry, the economic welfare of the City would be benefited by financing the acquisition and construction of economic development facilities for the Partnership; and

(e) The Commission has by resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and construction of the economic development facilities and the cost of the economic development facilities and has submitted such report to the plan commission having jurisdiction over such facilities; and

(f) After giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing benefits the economic welfare of the City and complies with the purposes and provisions of the Act and approving the financing and the proposed form and terms of the economic development revenue bonds, loan agreement and indenture of trust, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Commission;

Section 2. Public Benefits. The Common Council of the City hereby finds and determines that the medical office building and parking facilities (the "Project") as described in Exhibit A to the Loan Agreemetntdated as of June 1, 1979 (the "Loan Agreement") between the City and the Partnership to be acquired and constructed with the proceeds of $5,375,000 principal amount Economic Development Revenue Bonds, Series A (St. Joseph Medical Building Associates Project) (the "Series A Bonds") herein authorized are "economic development facilities" as defined in the Act and that acquisition and construction of the Project will increase employment opportunities and increase diversification of business, commerce and industry in the City, will improve and promote the economic stability, development, health and welfare of the area in the City and will encourage and promote the expansion of industry, trade and commerce in the City and the location of other new commercial and business facilities in such area.

Section 3. Findings. The Common Council hereby finds that this ordinance (the "Bond Ordinance") complies with the purposes and provisions of the Act and is of public benefit to the health and welfare of the City by tending to overcome the deficiencies previously found to exist, towit: insufficient employment opportunities and insufficient diversification of business, commerce and industry.

Section 4. Authorization of $5,375,000 Series A Bonds. In order to obtain funds to loan to the Partnership to finance costs of acquiring and constructing the Project, including interest on the Series A Bonds during the anticipated construction period and creation of a reasonably required reserve, there are hereby authorized to be issued, sold and delivered $5,375,000 aggregate principal amount of Series A Bonds. It is hereby recognized that pursuant to the terms of the Loan Agreement any balance of the cost of the Project will be paid for by the Partnership unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture of Trust dated as of June 1, 1979, (the "Indenture") between the City and Peoples Trust Bank, Fort Wayne, Indiana, as Trustee (the "trustee").

Section 5. Terms for the Series A Bonds. The total principal amount of Series A Bonds that may be issued is hereby expressly limited to $5,375,000, provide however, that Additional Bonds may be issued as provided in the Indenture.

The Series A Bonds shall bear interest until paid at the respective rates per annum set forth below payable on June 1 and December 1 of each year and shall mature on June 1 of each of the years set forth in and in the principal amount set opposite each year, as follows:

YEAR	PRINCIPAL AMOUNT
1981	$130,000
1982	140,000
1983	145,000
1984	155,000
1985	165,000
1986	180,000
1987	190,000
1988	205,000

RATE	YEAR	PRINCIPAL AMOUNT	RATE
6-1/4%	1989	$220,000	7-1/4%
6-3/8%	1990	235,000	7-3/8%
6-1/2%	1991	250,000	7-1/2%
6-5/8%	1992	270,000	7-5/8%
6-3/4%	1993	290,000	7-3/4%
6-7/8%	1994	315,000	7-7/8%
7%	2000	2,485,000	8-1/4%
7-1/8%			

The Series A Bonds shall be in such form, sahll be in such denominations, shall be payable in such medium of payment and at such place or places, shall be subject to redemption at the times and under the conditions, shall be executed in such manner and shall contain such other terms and provisions as are provided for in the Indenture.

The Series A Bonds are limited obligations of the City payable solely from payments of principal,

premium, if any, and interest made by the Partnership pursuant to the Loan Agreement and the Series A Note in the form attached to the Loan Agreement, except to the extent that the principal of, premium, if any, and interest on the Series A Bonds may be paid out of money attributable to Series A Bond proceeds or from temporary investments, or from other moneys if any, accuring to the Trustee for the benefit of the bondholders.

By the Indenture, the City will assign and pledge to the Trustee the City's rights under the Loan Agreement, including the right of the City to receive payments under the Series A Note, all as security for the payment of the Series A Bonds.

The Series A Note and the assignment and pledge to the Trustee will constitute the sole security given by the City for the Series A Bonds. The Series A Bonds and the interest thereon shall be a valid claim of the respective holders only against the Bond Fund created under the Indenture and other moneys held by the Trustee. The City will have no ownership interest in the Project, and the Series A Bonds will not be secured by any mortgage or other security interest in the Project or in any other property of the Partnership, provided, however, the Loan Agreement and Series A Note shall be secured by a mortgage on the Project from the Partnership to the Trustee as provided in the Loan Agreement.

The Series A Bonds do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of the City.

Section 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided in the Indenture and the Loan Agreement.

Section 7. Sale of the Series A Bonds. The Mayor, City Controller and City Clerk of the City are hereby authorized and directed to deliver the Series A Bonds at a price of 951/2% of par plus accured interest to the date of delivery and payment therefor to Traub and Company, Inc., Indianapolis, Indiana, who in turn will resell the Series A Bonds to a limited number of institutional purchasers who will furnish investment letters in the form approved by Traub and Company, Inc. The proceeds of sale shall be deposited with the Trustee prusuant to the Indenture.

Section 8. Indenture. In order to secure the payment of the principal of and interest on the Series A Bonds, the Mayor and City Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, the Indenture in substantially the form submitted to the Common Council which is hereby approved in all respects.

Section 9. Loan Agreement. In order to provide for the loan of the proceeds of the Series A Bonds to the Partnership to provide for acquisition and construction of the Project and the payment by the Partnership of amounts sufficient to pay the principal of, premium, if any, and interest on the Series A Bonds, the Mayor and City Clerk shall execute, acknowledge and deliver in the name and on behalf of the City the Loan Agreement in substantially the form submitted to this Common Council, which is hereby approved in all respects.

Section 10. Acceptance of Series A Note. The City accepts as security for the Series A Bonds the Series A Note of the Partnership. The Series A Note shall be in substantially the form attached to the Loan Agreement and shall be secured by a mortgage on the Project from the Partnership to the Trustee in substantially the form also attached to the Loan Agreement, but the Series A Note shall not constitute an obligation of any limited or general partner of the Partnership.

Section 11. Approval of Leases. The City recognizes that the Partnership is a developer as defined in the Act and will be leasing space in the Project to doctors and other health care users, which leasing is hereby approved.

Section 12, Election. The City elects to have the provisions of Section 103 (b) (6) (D) of the Internal Revenue Code apply to the Series A Bond and the Mayor or City Clerk is authorized and directed to make such election prior to the issuance and delivery of the Series A Bonds in accordance with the applicable regulations or proecedures of the Internal Revenue Code.

Section 13. General The Mayor, City Controller and City Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any and all matters, and do any and all things deemed by them, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Ordinance (including the preambles hereto), the acquisition and construction of the Project by the Partnership, the issuance, sale and delivery of the Series A Bonds, and the securing of the Series A Bonds under the Indenture.

Section 14. Effective Date. This Bond Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

This ordinance was adopted by the Common Council of the City of Fort Wayne, Indiana, on the 22nd day of May, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-77-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-22

SPECIAL ORDINANCE NO. S-78-79

AN ORDINANCE AUTHORIZING THE CITY OF
FORT WAYNE TO ISSUE ITS "ECONOMIC
DEVELOPMENT FIRST MORTGAGE REVENUE
BONDS, SERIES 1979 (GAST REALTY CORPORATION)"
AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Gast Realty Corporation project regarding the financing of proposed economic development facilities for Gast Realty Corporation and the Fort Wayne Planning Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on May 21, 1979, and also adopted a resolution on May 21, 1979, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Gast Realty Corporation complies with the purposes and provisions of I.C. 18-64.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, Mortgage and Indenture of Trust; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council; the issuance and sale of revenue bonds, the use of the proceeds of the revenue bonds for the acquisition and construction of such facilities; the lease of said facilities by Gast Realty Corporation to Janitor Supply Co., Inc., the payment of the revenue bonds by the rent payments, the guarantee of the payment of the principal and interest on the revenue bonds by Kenneth Gast, Mary Jayne Gast and James Gast, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust, complies with the purposes and provisions of I.C. 18-6-4.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Lease Agreement, Guaranty Agreement, Loan Agreement, Note, Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement"

referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the CLerk.

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Gast Realty Corporation Project), in the total principal amount of Four Hundred and SeventyFive Thousand Dollars ($475,000.00) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the rent payments made by Gast Realty Corporation under the Loan Agreement and from other revenues and income assigned under the Loan Agreement and Note or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor, Clerk, and Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 81/2% per annum and at a price not less than 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers therof.

Section 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1979 (Gast Realty Corporation Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Passed and adopted this 22nd day of May, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: NIne
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-78-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-05-06

RESOLUTION NO. R-19-79

A RESOLUTION authorizing payment to
Allen County Motors for repair of vehicle

WHEREAS, (1) the following City vehicle was damaged in an accident, and (2) insurance money in reimbursement for such damage has been received and receipted by the City Controller in the amount hereafter listed, and (3) repair bid received from the following company in the amount of such insurance damage payment as hereafter set out, to wit:

Vehicle	Insurance Payment	Repair Agency
Police Dept. unit No. 18, 1976 Ford, 4 door sedan License Plate #M011118	$372.04	Allen County Motors

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amount to the above named agency, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. No. R-19-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-05-23

RESOLUTION NO. R-20-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $325,000.00 Economic Revenue Bonds of the City of Fort Wayne,Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project.

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Safety Equipment and Supply Company, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant for such purposes said economic development facility to be a 13,000 square foot metaltype building with 3.000 sq. ft. in office quarters and 10,000 sq. ft. in warehouse area., including the real estate on which it is located and to be located at 5004 Distribution Drive in Merchandise Park, Fort Wayne, Indiana, (the "Project"); and

WHEREAS, the diversification of economic development and increase in 14 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, Edward L. Neufer and Barbara Neufer will guarantee all bond payments, if necessary; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $325,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter eithe sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes. Adopted this 22nd day of May, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-20-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-05-24

RESOLUTION NO. R-21-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $6,500,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Thomas Jehl and Joseph Zehr (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development faciltity and sell or lease the same to the Applicant for such purpose said economic development facility to be a 175,000 square foot shopping center, including the real estate on which it is located and to be located at the southwest corner of Maplecrest and Rothman Roads, Fort Wayne, Indiana, on an approximate 17 acre tract of land (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, Thomas Jehl and Joseph Zehr will guarantee all bond payments, if necssary; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds,determmines, ratifies and confirms that the

issuance and sale of revenue bonds in an amount not to exceed $6,500,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financir or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursemei or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes. Adopted this 22nd day of May, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. SChmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as REsolution No. R-21-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-05-27

RESOLUTION NO. R-22-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $700,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly owned by a company or lesed to a company or sold to a company; and

WHEREAS, Keystone Distribution Park, an Indiana general partnership, (the "Applicant") has advised the Fort Wayne Economic Dvelopment Commission and the Issuer that it proposes tha the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 30,000 square foot (on foundation) mutiple purpose building,

being one discrete unit, including the real estate on which it is located, for the general warehousing and light industrial and commercial uses to be located in the 5400 block of Keystone Drive in Fort Wayne, Indiana, on an approximate two acre tract of land (the "Project"); and

WHEREAS, the said Keystone Distribution Park, an Indiana general partnership will guarantee all bond payments, if necessary; and

WHEREAS, The diversification of economic development and an increase in 20 or more job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to th health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near the 5400 block of Keystone Drive in Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount of approximately $700,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid fiancing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolution and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes. Adopted this 22nd day of May, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-22-79 on the 22nd day of May, 1979.

ATTEST:

(SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-03-18

ZONING MAP ORDINANCE NO. Z-16-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L2, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

The west half of lot numbered 54 in Bond's Third addition to the City of Fort Wayne, except the South 74 feet thereof and the south 74 feet of the west half of lot numbered 54 in Bonds Third Addition to the City of Fort Wayne, according to the recorded plat thereof, a/k/a 1417 Martin Street. ALSO, the east half of lot numbered 54 in Bond's Third Addition to the City of Fort Wayne, according to the recorded plat thereof.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-16-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-03-21

ZONING MAP ORDINANCE NO. Z-17-79

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. M-38 and Repealing Zoning Map
Ordinance No. Z-15-78.

WHEREAS, there appears to be a scrivenor's error in the legal description in Zoning Map Ordinance No. Z-15-78 which should be corrected.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Zoning Map Ordinance No. Z-15-78 amending Zoning Map No. M-38 is hereby repealed.

SECTION 2. That the area described as follows is hereby designated a B-1-B District, under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M-38, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the East Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East in Allen County, Indiana, more particularly described as follows:

Beginning at a point on the South line of the East Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, said point being 715 feet West of the Southeast corner of the East Half of the Southeast Quarter of Section 14-31-12; thence North and parallel to the East line of the East Half of the Southeast Quarter of Section 14-31-12 a distance of 290 feet; thence West and parallel to the South line of the East Half of the Southeast Quarter of Section 14-31-12 a distance of 257.7 feet; thence South 290 feet to a point on the South line of the East Half of the Southeast Quarter of Section 14-31-12, said point being 972.5 feet West of the Southeast corner of the East Half of the Southeast Quarter of Section 14-31-12; thence East along the South line of the East Half of the Southeast Quarter of Section 14-31-12 a distance of 257.6 feet to the point of beginning, containing 1.714 acres and being subject to all legal roads and highways.

SECTION 3. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-17-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-78-03-22

ZONING MAP ORDINANCE NO. Z-18-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. G2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. G2, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of Lagro Reserve in Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing at the point of intersection of the East line of Lot #27 in Edsall's Subdivision in said Lagro Reserve with the Northerly right-of-way line of U.S. Highway #24 as it presently exists; thence Northerly, on and along the East line of said Lot #27, a distance of 395.4 feet to the Northeast corner of said Lot #27; thence Northerly, by a deflection angle right of 03° 42', on and along the East line of Lot #26 in said Edsall's Subdivision, a distance of 310.7 feet to the true point of beginning; thence continuing Northerly on and along the East line of said Lot #26 and the East line of Lot #23 in said Edsall's Subdivision, a distance of 243.9 feet; thence Easterly by an interior angle of 92° 03', a distance 459.93 feet; thence Southwesterly, by an interior angle of 36° 47' and parallel to the Northerly rightofway line of U.S. Highway #24, a distance of 248.65 feet; thence Southeasterly, by a deflection angle left of 90° 00', a distance of 81.63 feet; thence Southwesterly, by an interior angle of 90° 00' and parallel to said Northerly rightofway line, a distance of 190.0 feet to the Northeasterly line of a certain 1.231 acre tract; thence Northwesterly, by an interior angle of 90° 00', on and along the Northeasterly line of said 1.231 acre tract, a distance of 100.5 feet to the Northeasterly corner thereof; thence Westerly, by a deflection angle left of 51° 10', on and along the Northerly line of said 1.231 acre tract, a distance of 106.1 feet to the true point of beginning, containing 2.055 acres of land.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted , placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-18-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-03-17

GENERAL ORDINANCE NO. G-11-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of IIndiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

Running East and West between Catalpa Street on the West and Bright Street on the East, and on the North by the South line of lots 448 through 455 of Third Commerical Addition to the City of Fort Wayne, and on the South by the North line of lots 426 through 433 of Third Commercial Addition to the City of Fort Wayne according to the recorded plat thereof and hereinafter referred to as the alley.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ord. No. G=11-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-19

SPECIAL ORDINANCE NO. S-79-79

AN ORDINANCE approving an Agreement with Westwood Development, Inc., for construction of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated April 9, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Westwood Development, Inc., Developer, for:

SANITARY SEWER

LINE A Beginning at a proposed pump stationllocated in the northeast corner, Lot 15 of Westwood Valley, Section 1; thence southwesterly generally following the north property line of Lots 15 through 29 inclusive, one thousand fifteen ± lineal feet terminating at a proposed manhole located 5 ± lineal feet east of the northwest corner of Lot 30 of Said Addition;

LINE B Beginning at a proposed sanitary sewer manhole located 1 ± lineal feet west of and 5 ± lineal feet south of the northwest corner of Lot 20 of Said Addition, then southeasterly 290 ± lineal feet to a proposed manhole located on the northeast corner of Lot 45 of Said Addition, then southwesterly in and along an easement to the rear of Lots 42 through 45 and 31 through 35 inclusive , 800 ± lineal feet terminating at a proposed manhole;

LINE C Beginning a t a proposed pump station located near the northeast corner of Lot 15 thence southerly in an easement to the rear of Lots 7 through 14 inclusive , 1160 ± lineal feet terminating at a proposed cleanout located 5 ± lineal feet south of and 5 ± lineal feet west of the northeast corner of Lot 6 of Said Addition;

LINE D Beginning at a proposed manhole located 1 ± lineal feet north of and 5 ± lineal feet west of the southeast corner of Lot 8 of Said Addition, thence westerly 310 ±lineal feet to a proposed manhole located on the common property corners of Lots 49 and 56 of Said Addition, thence northerly 195 ± lineal feet to proposed manhole located 1 ± lineal feet east of and 5 ± lineal feet north of the southeast corner of Lot 52 of Said Addition;

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-79-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-20

SPECIAL ORDINANCE NO. S-80-79

AN ORDINANCE approving Sewer Contract No. 305-78, between the City of Fort Wayne, Indiana and Land Excavating, Inc., Contractor, for Southtown Mall Lift Station Elimination

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 4, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Land Excavating, Inc., Contractor, for:

installation of a sanitary sewer in the area of Hanna Street, Tillman Road and in Tillman Park. Said installation of sewer to result in Southtown Mall Lift Station elimination,

under Board of Public Works Sewer Contract No. 30578, at a total cost of $163,852.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things herebt ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by theMayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-80-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-21

SPECIAL ORDINANCE NO. S-81-79'

AN ORDINANCE approving an Agreement between City of Fort Wayne Board of Works and Southtown Mall Development Company for construction of Hanna Street _Tillman Road - Tillman Park Area Sanitary Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated April 4, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Southtown Mall Development Company, for monetary contribution in the amount of $51,400.00 by Southtown Mall Development Company for their share of area connection fees due and their participation in the construction costs of Hanna Street - Tillman Road Tillman Park Sanitary Sewer and also, for the Southtown Mall Sanitary Sewer Lift Station Elimination, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-81-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-22

SPECIAL ORDINANCE NO. S-82-79

AN ORDINANCE approving City Utilities
Purchase Order No. 0998 with Fuller
Company % K.E. Jensen Company for equipment
for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 0998, dated April 3, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Fuller Company % K.E. Jensen Company, for:

Two Flange Mounted UniFilters and two Watchdog
Timers for Three Rivers Filtration Plant.

at a cost of $4,880.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-82-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-23

SPECIAL ORDINANCE NO. S-83-79

AN ORDINANCE approving City Utilities
Purchase Order No. 001015 with American
Darling for equipment for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 001015, dated April 10, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and American Darling, for:

Butterfly Valves, Gaskets, Bolts and Glands for use by
Water Maintenance & Service Department in the Water
Distribution System,

at a cost of $11,745.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-79

Charles W. Westerman /ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-83-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman /ne
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman /ne
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-79-02-41

ANNEXATION ORDINANCE NO. X-02-79

AN ORDINANCE annexing certain territory
to the City of Fort Wayne, and including
the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, towit:

A part of the Southwest Quarter, Section 12, T-31-N, R-12-E described as follows:

Beginning at a point on the north right-of-way line of Cook Road which is 80 feet east of the southwest corner of said Section 12 and 40 feet north of the south line of said Section 12, thence following the east right-of-way line of Coldwater Road N. 33° 16'18"W.54.92 feet; thence N.00° 38'40"W.396 feet; thence N. 5°51'52"W.219.91 feet; thence N.00°38'40"W.720.8 feet to a point on the east rightofway line of Coldwater Road which is 30 feet east of the centerline of Coldwater Road and 1421.8 feet north of the centerline of Cook Road; thence N.89°06'20"E.150 feet to a point which is on an arc of a circle with a radius of 50 feet and the center of which is on the continuation of the above line; thence on a curve to the right having a radius of 50 feet a distance of 130.9 feet to a point, said point also being derived by a chord line of 96.59 feet having a bearing of S.75°53'40"E.; thence No.89°06'20" E.674.28 feet; thence S.00°53'40"E.140 feet; thence S.71°18'09"E.61.96 feet to the northwest corner of Lot 122 Wheatridge, SEc. 1 Add.; thence N.68°17'40"E.135.00 feet; thence N.52°35'41'E. 133.54 feet; thence N.29°49'20"E.520 feet; thence S.60°10'40"E.50 feet; thence N.29°49'20"E.135 feet; thence S.60°10'40"E.150 feet; thence N.29°49'20" E.15 feet; thence S.60°10'40"E.530.33 feet; thence S.35°10'40"E.591.53 feet; thence S.00°28'36" E.1065.49 feet to a point on the north right-of-way line of Cook Road; thence S.89°50'18"W.2453 feet along the north right-of-way line of Cook Road to the point of beginning.

SECTION 2. Governmental and proprietary services of the City of Fort Wayne will be provided to the above described area within a period of three(3) years of annexation in a manner that is substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. The procedures for providing governmental and proprietary services to the above described area are outlined in the fiscal plan for the area developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 3 of the

City of Fort Wayne, Indiana, as described in Section 29 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor final publication and the required sixty (60) day remonstrance period, this ordinance shall be in full force and effect.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols

Date: 5-22-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-02-79 on the 22nd day of May, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of June, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-02

SPECIAL ORDINANCE NO. S-85-79

AN ORDINANCE approving a certain bid
document for purchase of paint supplies
for the Summer Paint Program in the
CDBG Target Neighborhoods

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 888, dated April 24, 1979, between the City of Fort Wayne, by and through its Mayor and Community Development and Planning and the following companies for the purchase of paint and paint supplies for the Summer Paint Program in the Community Development Block Grant Target Neighborhoods, all as more particularly set forth in the purchase orders, numbers and amounts as hereafter set out, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

PURCHASE ORDER NO.	COMPANY	AMOUNT
4-06216	Ream-Steckbeck Paint Company	$10,199.13
4-06217	Sherwin-Williams Paint Company	910.14
	TOTAL	$11,109.27

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Councilwoman
Vivian G. Schmidt

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-85-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-03

SPECIAL ORDINANCE NO. S-86-79

AN ORDINANCE approving an Agreement to
purchase Real Estate from Helen Kaminski
for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase REal Estate dated May 10, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Helen Kaminski, for:

Lot 154 Drexel Park Addition, Fort Wayne, Indiana

for the total cost of $8,125.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes : Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
V. Schmidt, Nuckols

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-86-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-04

SPECIAL ORDINANCE NO. S-87-79

AN ORDINANCE approving an Agreement to purchase Real Estate from Jessie May Longmire and Mary Evans for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated May 9, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and Jessie May Longmire and Mary Evans, for:

W 33' Lot 18 Lasalles Addition

for the total cost of $5,400.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
V. Schmidt, Nuckols

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-87-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-05

SPECIAL ORDINANCE NO. S-88-79

AN ORDINANCE approving an Agreement to
purchase Real Estate from William Key
for Neighborhood Care, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to purchase Real Estate dated April 10, 1979, between the City of Fort Wayne, by and through its Mayor and Neighborhood Care, Inc., and William Key, for:

W 24' Lot #78 Rockhill and Nelson Addition
Fort Wayne, Allen County, Indiana

for the total cost of $3,300.00, all as more particularly set forth in said agreement which is on file in the Office of Neighborhood Care, Inc., and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-88-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-01

RESOLUTION NO. R-24-79

A RESOLUTION approving the Budget of
Fort Wayne and Allen County Convention and
Tourism Authority for 12-month Period Beginning
January 1, 1979 and Ending December 31, 1979

WHEREAS, the Board of Managers of Fort Wayne and Allen County Convention and Tourism

Authority has prepared and has submitted to the Common Council of the City of Fort Wayne its budget for the calendar year 1979 covering projected operating expenses, estimated income totally from Hotel room tax and a reserve fund, all as more particularly hereinafter set forth, and

WHEREAS, Burns Inc. Rev. Stat. 26238, 1972 Cum. Poc. Supp. requires not only the County Council but also the Common Council of the City of Fort Wayne to review, approve or reject same; and

WHEREAS, the Common Council of the City of Fort Wayne has reviewed said 1979 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following proposed budget for the 12 month period beginning January 1, 1979 and ending December 31, 1979 of Fort Wayne and Allen County Convention and Tourism Authority, which reads as follows:

INCOME		
Estimated Income 1979		$350,000.00
Interest Income		150,000.00
		$500,000.00
BUDGETED EXPENSES		
Consulting Fees/Expenses Incidental to Land Acquisition & Presentation of Project	$150,000.00	
Administrative Expenses Rent, salaries, fulltime Executives, etc.	40,000.00	
Attorney's Fees	10,000.00	
Expenses incidental to Bond Issue	175,000.00	
Miscellaneous Expenses Travel, Office supplies, etc.	10,000.00	
Total Budget Requested		$385,000.00
TOTAL NEW FUNDS REQUIRED		$385,000.00

is hereby approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Moses, D. Schmidt, Talarico
Nays: One
Stier
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-24-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-02

RESOLUTION NO. R- 25-79

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, approving recommendation by the City of Fort Wayne and the Fort Wayne Redevelopment Commission and authorizing the Board of Public Works to proceed to acquire, construct, finance, operate and lease an off-street parking facility

WHEREAS, the City of Fort Wayne and the Fort Redevelopment Commission have, based on a study of the need for offstreet parking facilities and their proper location, recommended to the Board of Public Safety that the City of Fort Wayne acquire, construct, finance, lease and operate an offstreet parking facility located on the north onehalf (1/2) of the block bordered by Washington, Clinton, Jefferson and Calhoun Streets in downtown Fort Wayne on the block denominated in the Civic Center Renewal Project as Block III, and

WHEREAS, the Common Council has determined that the acquisition, construction, financing, operation and leasing of the offstreet parking facilities will promote the public safety, convenience and welfare, and aid in the policing of traffic in downtown Fort Wayne; and

WHEREAS, the Common Council desires to authorize the Board of Public Works to proceed with the recommended offstreet parking project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The recommendation contained in the resolution of the Board of Public Safety for the City of Fort Wayne to acquire, construct, finance, operate and lease an offstreet parking facility on the north onehalf (1/2) of the block denominated as Block III in the Civic Center Renewal Project, to be known as the Civic Center Parking Garage is approved and that resolution made a part hereof as Exhibit "A".

(H.I.)

SECTION 2. The City of Fort Wayne, by and through the Board of Public Works is authorized to proceed with the project pursuant to I.C. 195111 and shall have power to take all steps and proceedings and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under I.C. 195111 for the acquisition, construction, financing, operation and leasing of the recommended offstreet parking facility.

SECTION 3. The City of Fort Wayne shall accept the real estate upon which the Civic Center Parking Garage is to be located from the Fort Wayne Redevelopment Commission and reimburse the Capital Fund of the Commission in the sum of $262,000.00 for a portion of the acquisition, demolition, relocation and architectural cost incurred by the Commission in connection with the CCPG.

SECTION 4. The commitment of United States Department of Housing and Urban Development to grant $1,462,000.00 in funds as an Urban Development Action Grant to assist in the financing of the Civic Center Parking Garage, and the commitments of Indiana & Michigan Electric Company and The Peoples Trust Bank to lease space in the Civic Center Parking Garage (as provided in the lease attached hereto) may be accepted and the Board of Public Works and/or Mayor of the City of Fort Wayne is authorized to evidence that acceptance under such terms and conditions as deemed fit in the manner authorized by law and the estimated balance of the costs of the Civic Center Parking Garage in the sum of $1,543,169.00 committed to be provided by the City of Fort Wayne out of revenues from the Civic Center Parking Garage, by the pledge and/or hypothecation of all or any part of the revenue to be received by the City from the Indiana & Michigan Electric Company and Peoples Trust Bank leases, or any other leases located within the Civic Center Parking Garage, from the sale of leasehold space in the Civic Center Parking Garage, and/or from such other sources as the City Council shall from time to time deem appropriate.

SECTION 5. That this Resolution shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Burns, Hinga, Hunter, Moses, D. Schmidt, Talarico
Nays: One
Stier
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-25-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-03

RESOLUTION NO. R-26-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $600,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, REG Properties, a partnership, (the "Applicant') has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 20,000 square foot manufacturing facility including the real estate, machinery and equipment and for the function of performing certain cosmetology to International Scouts to be located at 2007 Bremer Drive, Fort Wayne, Indiana, on an approximate 3 acre tract of land (the "Project"); and

WHEREAS, Ed Russell Industries, a corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of industry and increase in 50 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $600,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equippinig of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be requried to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicnat for the same purposes.

Adopted this 12th day of June, 1979.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-26-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-04

RESOLUTION NO. R-27-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorzing the issuance and sale of $650,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Wayne Hardware Company, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 20,000 square foot office and warehouse including the real estate, machinery and equipment and for the function of an office and warehouse to be located in Engle Ridge Industrial Park in Fort Wayne, Indiana, on an approximate 1.6 acre tract of land (the "Project"); and

WHEREAS, the diversification of economic development and an increase in 50 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, Wayne Hardware Company, Inc., an Indiana Corporation, will guarantee all bond payments, if necessary; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the

health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $650,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 12th day of June, 1979

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-27-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-05

RESOLUTION NO. R-28-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Traffic Engineering Dept. unit No. 24, 1978 Ford Truck License Plate #M030022	$ 537.22	James Truck Sales
2)	Police Dept. unit No. 13, 1978 Ford, 4 door sedan License Plate #M011113	614.80	Northway Chrysler Plymouth
3)	Police Dept. unit #159 1975 Chevrolet, 4 door sedan License Plate #2B9998	105.95	Northway Chrysler Plymouth
4)	Police Dept. unit No. 9, 1978 Ford, 4 door sedan License Plate #M011109	500,00	Northway Chrysler Plymouth
	TOTAL	$1,757.97	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-28-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z- 79-04-07

ZONING MAP ORDINANCE NO. ZLOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N19

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N19, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot No. 42 in Philley's Subdivision Amended to the
City of Fort Wayne, Indiana, commonly known as
900 East Pettit Avenue.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-04-18

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. 0-35

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 035, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

N. 80' of S. 160' of E. 272.25' of the N 1/2 of the
SE. 1/4 of Section 36, T 30 N. R. 12 E., to the City
of Fort Wayne, Allen County, Indiana

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Six
Burns, Hinga, Hunter, Moses, Stier, Talarico
Abstained: One
D. Schmidt
Absent; Two
Nuckols, V. Schimdt

Date: 6-12-79

Charles W. Westerman
City Clerk

BILL NO. S-79-05-13

SPECIAL ORDINANCE NO. S-84-79

AN ORDINANCE approving Change Order No. 1,
in connection with the McKinley-Connett-
Edwards Sanitary Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 to T & G Excavating, in connection with the McKinley-ConnettEdwards Sanitary Sewer Improvement Resolution No. 87678, for:

Backfill, special backfill, stone for driveway surface, asphlat surface driveways and double chip and seal, necessitated by the realignment of sanitary sewer into street areas,

in the amount of $10,194.20, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-84-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-14

SPECIAL ORDINANCE NO. S-89-79

AN ORDINANCE approving Change Order
No. 23, in connection with Division I,
Water Pollution Control Plant Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 23 to Hagerman-Shambaugh, Joint Bidders, in connection with Division I, Water Pollution Control Plant Additions, Water Quality Control Project, for:

replacement of transmitter, recalibration, repair water leak at joint in aeration influent channel, repair chlorine solution line, connect existing stainless steel engine exhaust pipe to existing masonry exhaust stack, install additional 110 volt power circuits, install new fire suppression system, install monitoring equipment in three different regulators, revise new engine cooling water and heat recovery piping system, relocate stainless steel battery room vent, change location of three plant intercom units and add one new wall mounted unit, change two branch circuit breakers and trip element, replace deteriorated wooden portion of emergency D.C. power battery rack, replace new septic sludge pump and finally, extend time of contract completion 300 calendar days from September 9, 1978 to July 6, 1979,, to obtain and install materials and labor covered in this Change Order,

in the amount of $47,025.50, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, Stier

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-89-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-15

SPECIAL ORDINANCE NO. S-90-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1079 with Clow
Corporation for equipment for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1079, dated May 10, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Clow Corporation, for:

Ductile Iron Pipe for use by the Water Maintenance
& Service Department,

at a cost of $6,516.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Stier, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date : 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-90-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-16

SPECIAL ORDINANCE NO. S-91-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1069 with Rockwell
International for supplies for the
Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1069, dated May 3, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Rockwell International, for:

Stainless Steel Repair Clamps for meters in stock
and in use by the Water Maintenance & Service
Department,

at a cost of $3,329.74, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-91-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-17

SPECIAL ORDINANCE NO. S-92-79

AN ORDINANCE approving Water Contract
#7902, between the City of Fort Wayne,
Indiana and Westwood Development, Inc.
for installing water main system

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 30, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Westwood Devlopment, Inc., for:

installing a Water Main System in Westwood Valley,
Sec. I to serve Wood Valley Drive, Bellflower Lane,
Overlook Drive and Autumn Leaf Lane,

under Board of Public Works Water Contract #7902, at a total cost of $50,018.48, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-93-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-18

SPECIAL ORDINANCE NO. S-93-79

AN ORDINANCE approving a contract for
Street Light Resolution No. 136-79,
between the City of Fort Wayne, Indiana,
and T & F Construction Corporation of
Indiana for street lighting for Northwest
Central Phase III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 23, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & F Construction Corporation of Indiana, Contractor, for:

installation of ornamental street lighting for
Northwest Central Phase III,

under Board of Public Works Street Light Resolution No. 13679, at a total cost of $33,780.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-94-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-19

SPECIAL ORDINANCE NO. S-94-79

AN ORDINANCE approving blanket City
Utilities Purchase Order Nos. B-1060
to B-1062, inclusive, for Office Supplies
for the Office Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Utilities Blanket Purchase Orders, numbered and listed below, dated May 1, 1979, between the City Utilities Purchasing Agent and the Board of Public Works and the following companies for the purchase of office supplies for the Office Services Deaprtment, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved, respectively, to wit:

COMPANY	C.U.P.O.#
Business Equipment Company	B1060
Shrex of Fort Wayne	B1061
Doubleday Brothers & Company	B1062

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-94-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-05-20

SPECIAL ORDINANCE NO. S-95-79

AN ORDINANCE approving a contract for Water Contract No. 79-XP-1, between the City of Fort Wayne, Indiana and Ground Service, Inc. for construction of water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated April 23, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board Of Public Works and Ground Service, Inc., for:

installation of 365 ± feet of 12" water main on Getz Road across West Jefferson Boulevard,

under Board of Public Works Water Contract No. 79XP1, at a total cost of $24,425.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-95-79 on the 12th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-79-04-12

ANNEXATION ORDINANCE NO. X-03-79

AN ORDINANCE annexing certain territory
to the City of Fort Wayne and including the
same in Councilmanic District No. 5

WHEREAS, the owners of the territory described below have petitioned that the territory be annexed to the City; and,

WHEREAS, it is the desire of the City of Fort Wayne to annex the territory described below; and,

WHEREAS, the territory described below is contiguous to the corporate limits;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, towit:

PARCEL A

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning on the east line of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1915.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along said east line 715.42 feet to the southeast corner of said quarter-quarter section; thence North 89 degrees 41 minutes 41 seconds West along the south line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East 715.78; thence South 89 degrees 39 minutes 16 seoncds East parallel with the north line of said quarter-quarter section 500.00 feet to the point of beginning, containing 8.214 acres, more or less, subject to all legal highways, rights-of-way and easements.

AND

PARCEL B

A part of the Southeast Quarter of the Northwest Quarter of Section 36, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter-quarter section, South 00 degrees 00 minutes 11 seconds West (assumed bearing) 1315.43 feet from the northeast corner of said Northwest Quarter Section; thence South 00 degrees 00 minutes 11 seconds West along the east line of said quarter-quarter section 600.00 feet; thence North 89 degrees 39 minutes 16 seconds West parallel with the north line of said quarter-quarter section 500.00 feet; thence North 00 degrees 00 minutes 11 seconds East parallel with the east line of said quarter-quarter section 600.00 feet to the north line of said quarter-quarter section; thence South

89 degrees 39 minutes 16 seconds East along said north line 500.00 feet to the point of beginning, containing 6.887 acres, more or less, subject to all legal highways, right-of-way and easements.

AND

A part of Section 36, Township 30 North, Range 12 East, Allen County, Indiana described as follows: All of the Southeast Quarter of the Northwest Quarter of said section containing 39.762 acres, more or less.

EXCEPT: Beginning Northerly 82.4 feet along the west line of said quarter-quarter section from the southwest corner of said quarter-quarter section; thence continuing Northerly 385.0 feet along said west line; thence Easterly 228 feet perpendicular to said west line; thence Southerly 385.0 feet parallel with said west line; thence Westerly 228 feet perpendicular to said west line to the point of beginning and containing 2.015 acres, more or less.

EXCEPT: Parcel A, as described above

EXCEPT: Parcel B, as described above.

Containing after said exceptions 22.646 acres, more or less.

AND

The North 400 feet of the Northeast Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, indiana, containing 12.091 acres, more or less.

AND

The North 400 feet of the East 400 feet of the East Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, containing 3.673 acres, more or less.

The total area containing approximately 53.511 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above-described territory, within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan is examined, approved and adopted by the Common Council prior to the passage of this ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 5 of the City of Fort Wayne, Indiana, as described in Section 29 of Article II of the City of Fort Wayne, Indiana, 1974.

SECTION 5. After its passage, approval by the Mayor and final publication, this ordinance shall be in force and effect.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Burns and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, V. Schmidt

Date: 6-12-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-03-79 on the 12th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of June, 1979 at the hour of 8:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-34

SPECIAL ORDINANCE NO. S9679

AN ORDINANCE AMENDING ORDINANCE NO. S-77-79 ADOPTED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA ON MAY 22, 1979

WHEREAS, the Common Council of the City of Fort Wayne, Indiana (the "City") heretofore adopted on May 22, 1979 Ordinance No. S7779 providing for issuance by the City of $5,375,000 Economic Development Revenue Bonds, Series A (St. Joseph Medical Building Associates Project) (the "Series A Bonds"); and

WHEREAS, the Series A Bonds have not yet been delivered and paid for; and

WHEREAS, it is necessary that certain of the provisions of Ordinance No. S7779 be amended and the purchaser thereof has agreed to such amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Section 7 of Ordinance No. S7779 heretofore adopted on May 22, 1979 is hereby amended to read as follows:

"Section 7. Sale of the Series A Bonds.
The Mayor, City Controller and City Clerk of the City are hereby authorized and directed to sell and deliver the Series A Bonds at a price of 95 1/2% of par plus accrued interest to the date of delivery and payment therefor to Traub and Company Inc., Indianapolis, Indiana, who in turn will resell the Series A Bonds pursuant to an Official Statement prepared by Traub and Company, Inc. The proceeds of sale will be deposited with the Trustee pursuant to the Indenture."

Section 2. Except as amended by this Ordinance, all of the provisions of Ordinance No. S-7779 are hereby ratified and approved and shall continue in force.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

This Ordinance was adopted by the Common Council of the City of Fort Wayne, Indiana on the 26th day of June, 1979.

Vivian G. Schmidt

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-96-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-23

RESOLUTION NO. R-29-79
OF THE CITY OF FORT WAYNE

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, to lend the proceeds thereof to a company for the acquisition, construction and equipping of said facilities, said facilities to be owned by a company; and

WHEREAS, CentralWalter_Sunbelt Partnership, an Indiana general partnership to be formed, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer loan the proceeds of such a financing to the Applicant for the purpose of acquiring, construction and acquiring of an economic development facility which is to be a 14-story, 230-room hotel, including the real estate on which it is located and the machinery, equipment and furnishings to be installed therein, to be located at the site of the former Fort Wayne Sheraton Hotel in Fort Wayne, Indiana (the"Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (approximately 100 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in Fort Wayne, Indiana, and is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of economic development and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount of approximately $4,500,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the lending of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and author ize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution (and certain preliminary expenses incurred prior to the passage of this inducement resolution), including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter lend the proceeds of such financing to the Applicant for the same purposes.

Adopted this 26th day of June, 1979.

CITY OF FORT WAYNE

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-29-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-06-22

RESOLUTION NO. R-30-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $3,000,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Fort Wayne Pools, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to consist of a single story metal building and related access and parking facilities to be used for the manufacture of structural foam pool walls, pool steps and pool components, related equipment and processes and office space. The facility will be located within the Lincoln Industrial Central on Lincoln Parkway, Fort Wayne, Indiana (the Propect"); and

WHEREAS, Fort Wayne Pools, Inc., an Iniana Corporation will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of economic development and an increase in 20 to 25 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $3,000,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that ll of the foregoing shall be mutally acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authoriztion, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes. Adopted this 26th day of June, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-30-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-04-08

GENERAL ORDINANCE NO. G-13-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a c certain road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain road, having been filed with Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 383, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following road, to wit:

> Commencing at the southwest corner of Hatfield Road, where Hatfield Road intersects with Interstate Highway 69 then east to the east boundry line of Hatfield Road then north, a distance of 549,9 feet; then west 50 feet to the west boundry line of Hatfield Road then south to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, MOses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-13-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-09

SPECIAL ORDINANCE NO. S-97-79

AN ORDINANCE approving Civil City Blanket
Purchase Orders Nos. B4-06376, B4-06377 and
B4-06378 with Bituminous Materials, Inc.
for materials for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Blanket Purchase Orders Nos. B4-06376, B4-06377 and B4-06378, dated May 31, 1979, between the City of Fort Wayne, by and through the City Purchasing Director and the Board of Public Works and Bituminous Materials, Inc., for Chip & Seal Asphalt Emulsion (Cationic) for the Street Department, all as more particularly set forth in said purchase orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same are in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

BILL NO. G-79-06-10

GENERAL ORDINANCE NO. G-12-79

AN ORDINANCE approving the Board of Public Works proposed Capital Program Expenditures for 1980 and Amendment to the 1979 Capital Improvement. Expenditures

WHEREAS, heretofore on April 11, 1973, General Ordinance No. G0773 was adopted requiring the Board of Public Works of the City of Fort Wayne to at least annually on or before the 30th day of June of each year provide the Common Council with itemized estimates of capital program expenditures for the succeeding fiscal years;

WHEREAS, said Board of Public Works does hereby submit to said Council said itemized estimates, all as set forth in Exhibits "A" and "C" attached hereto and hereby made a part hereof; and

WHEREAS, said Board of Public Works desires to amend said itemized estimates heretofore approved by the Common Council as General Ordinance G1478 by adding thereto those itemized estimates set forth in Exhibit "B" attached hereto and hereby made a part hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. All estimates of captial programs presented by the Board of Public Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibits "A" and "C: attached hereto and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

SECTION 2. All estimates of captial programs to be added to those heretofore approved by General Ordinance No. G-14-78 presented by the Board of Pulbic Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibit "B: attached hereto and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-12-79 on the 26th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-11

SPECIAL ORDINANCE NO. S-98-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1091 with Fort Meter
Box Company for equipment for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1091, dated May 11, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Ford Meter Box Company for:

Basement Resetters for water meters, to be utilitized
by the Water Maintenance & Service Department, at a cost of $3,234.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-98-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-12

SPECIAL ORDINANCE NO. S-99-79

AN ORDINANCE approving Change Order No. 1,
Sewer Improvement Resolution No. 302-78,
in connection with Kruge Place Addition
Sanitary Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Sewer Improvement Resolution No. 302-78, to Bercot, Inc., in connection with Kruge Place Addition Sanitary Sewer, for:

Additional stone, pipe, backfill, asphalt, fence and trees, as a result of relocating sewer line "A" along the north side of Lower Huntington Road,

in the amount of $22,622.69, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-99-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-13

SPECIAL ORDINANCE NO. S-100-79

AN ORDINANCE amending certain sections of Chapter 24 "Sewer and Sewerage Systems" so as to adjust rates and other provisions prescribed therein

WHEREAS, it is necessary to adjust the rates charged for use of the Water Pollution Control service owned and operated by the City for the benefit of its inhabitantsand of the inhabitants of the surrounding area who take advantage of its existence, and to make it mandatory that all inhabitants make connection for said service where available:

NOW , THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, 1974 is amended to be and read as follows:

Article II. General Provisions

201. Bylaws, Rules and Regulations. The Board of Public Works of the City of Fort Wayne shall, in accordance with the Statutes of Indiana, make and enforce whatever bylaws, rules and regulations it may deem necessary for the safe, economical and efficient management of the City's Sewage Utility, for the construction and use of building sewers and connections to the sewerage system, for the regulation, collection and refunding of the rates and charges for sewerage service and, in general, for the implementation of the provisions of this ordinance.

202. Requirements for Connection to Public Sewers. No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained and until he has satisfied his obligation to pay all assessments, reimbursements or pro rata shares of sewer extension costs laid against that property for public sewers installed to serve it. A tap permit given in error shall not operate to nullify any such obligation that has been duly recorded.

Tap permits shall be obtained from the City's Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of thirtyfive dollars for each tap permit for a normal sixinch service, a fee of seventy dollars for each tap permit for a special six-inch service and a fee of seventy dollars for each tap permit service larger than six inches. After making each sewer tap and building sewer installation, the tap contractor shall notify the Sewer Engineer so that the tap and the building sewer can be inspected and approved before the excavation is backfilled. Any tap or building sewer installation not made in accordance with the foregoing provisions shall be deemed an illegal installation and, upon discovery, shall be promptly disconnected at the expense of the property owner and shall remain disconnected until the provisions of this paragraph 202 have been complied with.

The Board of Public Works shall have the authority to require an owner of real property to disconnect from a building sewer which drains into a sanitary sewer any downspouts, yard drains or other drains which carry the runoff of natural precipitation. Property owners shall have thirty days after notice to comply with any such requirements.

New connections should be made only after there has been adequate assurance by City that the downstream facilities of the sewage works have adequate capacity to handle the new waste loadings.

No persons shall make connections of roof downspouts, exterior foundation drains, or other sources of surface runoff or ground water to a building sewer or building drain which is connected, directly or indirectly, to a sanitary sewer of the City.

Any and all private sewer systems of any kind now existing in or on premises where a public sewer is now or may hereafter become available shall be discontinued, emptied of its contents, cleaned out and be filled with earth or ashes, and the house sewer shall be disconnected from the existing private sewage system and be connected to the public sewer. All such connections to the public sewer shall be made within ninety days of the date the public sewer becomes available.

203. Extensions of Sewers Outside Corporate Limits. The installation, construction or extension of sewers by the City outside the corporate limits of the City and the connection or extension of sewers into the City's sewerage system from, by or for properties located outside such limits shall be prohibited, except upon prior approval by the Common Council of the City by duly enacted ordinance.

204. Connections to Sewerage System by Certain Out-of-City Properties. Notwithstanding the provisions of paragraph 203, the Board of Public Works of the City shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sewer which is part of the City's sewerage system, pr ovided the property abuts, adjoins and is immediately contiguous to the street, alley or easement in which such sewer is located and provided the property owner or occupant has complied with the conditions set out in paragraph 202.

205. Violations and Penalties. Any person found to be violating or failing to comply with any of the provisions of paragraphs 202, 206, 301, 401 through 405, 501 through 503, 602 or 605 shall be served by the City with a written notice stating the nature of the violation and providing a reasonable time limit for its satisfactory correction. The offender shall, within the period of time state in the notice, permanently cease all violations.

Any person who shall continue any violation beyond the stated time limit shall be guilty of a misdemean and, upon conviction thereof, shall be subject to a fine in any amount not less than $100.00 and not more than $500.00. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of the paragraphs set out above and convicted thereof shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

206. Responsibility For City Property. No unauthorized person, firm or corporation shall maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of or belonging to the Water Pollution Control Plant. Any person violating this provision shall by subject to immediate arrest under charge of a misdemeanor.

207. Amendment. The City of Fort Wayne reserves the right to amend this chapter of the Municipal Code, including the rates herein established, in part or in whole, as provided and permitted by the Statutes of Indiana, whenever it may deem it necessary.

ARTICLE VII. USER CHARGES

701. User Volume Charges

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu ft) _____.

	Class of User	
	Domestic	Manufacturing
Treatment	17.1	17.1
Conveyance, Collection, Billing	16.1	10.8
Capital	10.7	8.1
Total User Charge	44.4	36.0

702. User Minimum Charges

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule exhibited above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage.

Water Meter Size	Minimum Monthly Charge
5/8 - 3/4"	$ 2.22
1 - 1 1/2"	7.83
2"	15.98
3"	32.10
4"	53.36
6" or larger	148.21

703. User Flat Charges

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows.

Classification of Customer	Monthly Flat Charge (1)	
	In-City	Out-City
Domestic User - Single Family Residence	$ 4.44	$ 5.33
Domestic User - Multi Family Residence	To be estimated by City	
Commercial And Industrial User	To be estimated by City	

(1) Subject in addition, if applicable, to zone surcharge. Estimates of monthly flat charges for multifamily residences shall be based on the number of family units accommodated by the system multiplied by the single family residence monthly charges. Estimates of monthly flat charges for commercial and industrial establishments shall be

either estimated based on number of employees, manufacturing processes used and other pertinent sewer use indicators or based upon outfall measurements where available.

704. Regional Contract Sewage Treatment Charges

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

Volume Charge (cents per 100 cu. ft.)

Treatment	17.1
Capital Charge	10.7
	27.8

Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to that portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of $.50 and a monthly surveillance charge of $75.00.

Excess Strength of Waste Surcharge

In the event a contract customer contribution waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations :

	Cents Per Pound
Suspended Solids (SS)	3.587
Biochemical Oxygen Demand (BOD)	3.582
Phosphorus (P)	34.324

Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

Zone Surcharge

The toal of foregoing charges for which any contract customer will be liable to City hereunder may be increased by the zone surcharge rate set forth in Article IX hereafter if said contract customer qualifies by reason of location.

Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by Chapter 24, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user served by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance, Industrial Cost Recovery System and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204B (1), Public Law 92500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35.9058, 35.9281 and 35.928-2, and 35.93513.

705.. Bulk Waste Charges

Industrial -For all industrial waste picked up from customer and hauled in City's vehicles to plant - $148.75 per load.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - $21.75 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity.

706. Annual Review of Service Charges

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose will submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus from the sewage treatment plant influent during the previous calendar year, with the unit charges currently in effect, in order that the Board may determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

1. A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

2. Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation, attributable to such class.

ARTILCE VIII. ARTICLE -OF-WASTES SURCHARGE

801. Liability for Surcharge

Each user discharging wastes into the sewerage system shall be subject to a strenght of wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than as follows:

a. Biochemical oxygen demand of 220 milligrams per liter

b. Chemical oxygen demand of 440 milligrams per liter

c. Suspended solids content of 250 milligrams per liter

d. Phosphorus content of 10 milligrams per liter

802. Computation of Surcharge

The surcharge shall be determined as follows:

a. The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 9.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in paragraph 801. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in paragraph 803. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

803. Rates of Surcharge

The rate of surcharge for each of the aforementions constituents shall be as follows:

a. For biochemical oxygen demand -(BOD) 3.582 cents per pound

b. For suspended solids (SS) 3.587 cents per pound

c. For phosphorus (P) 34.324 cents per pound

804. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance, sampling and waste evalutation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of $75.00 per discharge point.

805. Revision of Rates of Surcharge

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

SECTION 2. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-100-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-14

SPECIAL ORDINANCE NO. S-101-79

AN ORDINANCE approving City Utilities Purchase Order No. 1109 with Price Brothers Company for equipment for the Water Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1109, dated May 29, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Price Brothers Company, for:

Various sizes of Tapping Saddles for making water taps for Water Maintenance & Service Department,

at a cost of $3,988.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-101-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-16

SPECIAL ORDINANCE NO. S-102-79

AN ORDINANCE approving City Utilities Purchase Order No. 1087 with Tomco Equipment Company for equipment for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1987, dated May 11, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Tomco Equipment Company, for:

One Recarbonation Burner for Three Rivers Filtration Plant,

at a cost of $4,923.00 all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D.Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-102--79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-17

SPECIAL ORDINANCE NO. S-103-17

AN ORDINANCE approving City Utilities Purchase Order No. 1090 with Overhead Door Company for overhead doors for the Water Pollution Control Maintenance Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1090, dated May 11, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Overhead Door Company, for:

Three Overhead Doors for Water Pollution Control
Maintenance Department

at a cost of $4,428.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-103-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-18

SPECIAL ORDINANCE NO. S-104-79

AN ORDINANCE approving City Utilities Purchase Order No. 1102 with General Electric Apparatus Service Shop for repair of Hydro-Electric Generator for Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1102, dated May 16, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Apparatus Service Shop, for:

Repair of HydroElectric Generator at the St. Joseph River Dam with onsite supervision for the assembly of the unit after repair for Three Rivers Filtration Plant,

at a cost of $4,399.45, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-104-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-19

SPECIAL ORDINANCE NO. S-105-79

AN ORDINANCE approving partial release of a sewer easement and authorizing the Mayor and City Clerk to execute and deliver a quit claim deed thereto

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Partial Release of Sewer Easement dated April 4, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Charles N. Hall, agent for Michael Hall, for:

Part of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing at a point 40 feet north and 391 feet west of the Southeast corner of the East half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana; thence West and parallel to the South line of said E1/2, a distance of 338 feet to a point situated 14 feet West of the West line of a 1.0 acre tract conveyed to Nancy D. Cotton and Werner W. Newcomb, Jr. in a deed appearing in Document #75-23036 in the Of fice of the Recorder of Allen County, Indiana; thence Northerly, by a deflection angle right of 89 degr. 52 min. 30 sec. (recorded 89 degr. 53 min.) and parallel to the West line of said 1.0 acre tract, a distance of 25.0 feet to a point on the Northerly rightofway line of Washington Center Road as established in Document #72-0497 in the Office of the Recorder of Allen County, Indiana, said point being the true point of beginning; thence continuing Northerly and parallel to the West line of said 1.0 acre tract, a distance of 225.0 feet; thence East and parallel to said South line, a distance of 14.0 feet to the West line of said 1.0 acre tract; thence southerly, on and along the West line of said 1.0 acre tract, a distance of 225.0 feet to said North rightofway line; thence West, on and along said North rightofway line, a distance of 14.0 feet to the true point of beginning.

all as more particularly set forth in said Partial Release of Easement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That to confirm said release, the Mayor and City Clerk of the City of Fort Wayne are hereby authorized to execute and deliver a Quit Claim Deed to the released portion of said easement described above, to Michael Hall as grantee.

SECTION 3. That this Ordinance shall be in full force and efect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-105-79 on the 26th day of June, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. X-77-06-26

ANNEXATION ORDINANCE NO. X-04-79

AN ORDINANCE annexing certain territory
to the City of Fort Wayne, and including
the same in Councilmanic District No. 2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979 towit:

Commencing at the intersection of the centerline of section 33, T 31, R 13 E and the north right-of-way line of Hicksville Road (East State Blvd.); thence northesterly along the north right-of-way line of Hicksville Road (East State Blvd.), this line also being the present corporation limits, to the east line of the northwest 1/4 of section 34, T 31 N, R 13E; thence south along said east line of northwest 1/4 of section 34 (assumed to be the northerly projection of west line of lot #2 in Browning Subdivision of Kercheval Reserve) to the northwest corner of lot #2 in Browning Subdivision of Kercheval Reserve as recorded in deed book W, pages 387-388; thence continuing in a southerly direction along the west line of said lot #2 in Browning Subdivision to a point located 262.68+ feet north of the southwest corner of said lot #2 in Browning Subdivision, said point more particularly described as being the northwest corner of lot #77 of Lake Forest Extended, Section III as recorded in plat book 33, pages 1920; thence east on a line parallel to and 262.68 ± feet north of the south line of Lots 1 & 2 of said Browning Subdivision to the westerly right-of-way line of Maysville Road (Lake Avenue) thence southwesterly on the west right-of-way of Maysville Road to the west line of said Kercheval Reserve; thence in an easterly direction along the north right-of-way line of North River Road to east line of Kercheval Reserve; thence north along the east line of Kercheval Reserve to the north line of Valley Meadows Section III; thence west along the north line of Valley Meadows Section III to the east right-of-way of Maysville Road; thence northeasterly along the east right-of-way line of the Maysville Road to the south right-ofway line of Hicksville Road (East State Street); thence west along the south right-of-way line of Hicksville Road to a projection of the west right-of-way line of the Lahmeyer Road; thence north along said west right-of-way line of Lahmeyer Road to the south right-of-way line of Trier Road; thence west along south right-of-way, line of Trier Road to centerline of section 33, N, R 13 E, thence south on said centerline section 33 to intersection of north right-of-way line of Hicksville Road the point of beginning. An area of approxi-mately 800 acres.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of (3) three years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utitization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 2-9of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 5. After its passage, approval by the Mayor and sixty days days after final pubication thereof as required by law, this ordinance shall be in full force and effect on December 31, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Talarico
Nayes: Two Nuckols, Stier

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-04-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-05-26 (AS AMENDED)

GENERAL ORDINANCE NO. G-14-79

AN ORDINANCE AMENDING ARTICLE III
CHAPTER 27, SECTIONS 27-22; 27-23;
27-24; 27-25; 27-26; 27-27; 27-31;
27-32; AND ADDING SECTION 27-33 OF THE
CODE OF THE CITY OF FORT WAYNE OF 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Sections 2722, 2723, 2724, 2725, 2726, 2727, 2731, 2732 be repealed and the following Sections shall be substituted therefor, and that Section 2733 be added as follows:

Section 27-22 Definitions. The following definitions shall apply in the interpretation and enforcement of this Chapter:

(a) "Swimming Pool" shall mean an artificial pool of water and auxiliary structures including dressing and locker rooms, toilets, showers and other areas and enclosures that are intended for the use of person using the pool, but shall not include pools and auxiliary structures and equipment at private residences intended only for the use of the owners and friends.

(b) "Beach" shall mean any natural or artificial waterway or impoundment, or any portion thereof which is used for swimming or wading purposes, including structures used as dressing rooms, locker rooms, toilets, showers, and other areas and enclosures intended for the use of persons using the beach.

(c) "Health Officer" shall mean The Health Officer of the city-county board of health or his or her authorized representative except where otherwise stated.

(d) "Person" shall mean a corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

(e) "Board of Health" shall mean the City-County Board of Public Health of Allen County, Indiana.

Section 27-23. Authority of health officer.

In case of emergency, the health officer alone is empowered to make rules and regulations to carry out, interpret and make effective the provisions of this article; provided that all such rules and regulations shall be recorded in a permanently bound book kept for such purposes and open to the general public inspection; and provided, that no such regulation or rule shall be effective for a period longer than sixty days unless formally ratified by the city-county board of health.

Section 27-24. Permits - Generally.

Swimming Pool or Beach Permit

(a) Requirement in City.

(1) It shall be unlawfull for any person to operate a swimming pool or beach in the City of Fort Wayne, Indiana, who does not possess a valid permit from the Health Officer. Such permit shall be posted in a conspicuous place at such swimming pool or beach. Only persons who comply with the applicable requirements of this Article shall be entitled to receive and retain such a permit. The permit shall be for a term of one year beginning with the date of issue and is to be renewed annually on the anniversary date thereof. Any permit issued by the Health Officer shall contain the name and address of the person to whom the permit is granted, the address of the premises for which the same is issued, and such other pertinent date as may be required by the Health Officer.

(2) A separate permit shall be required for each swimming pool or beach operated or to be operated by any person.

(3) A permit shall be issued on application, after inspection and approval by the Health Officer; provided, that the swimming pool or beach has been constructed under plans approved by the State Health Commissioner and under a permit issued by the city-county building department and that its operation complies with this article.

(4) No permit or renewal thereof shall be denied or revoked on arbitrary or capricious grounds.

(5) Application for such a permit shall be made to the health officer on forms provided by the health officer for such purpose. Such forms shall, when completed, show the name of the applicant, address, the name under which he or it intends to operate, the address of the establishment, the approval of plans by the state health commissioner and the issuance of a construction permit by the city - county building department.

(6) Permit not Transferable: No permit issued under this chapter to any person shall be transferable.

(7) Permit Fees

Every applicant for a permit under this chapter shall pay to the Fort Wayne-Allen County Board of Public Health a fee of one hundred dollars for each pool and beach open each year for six months or less and a fee of one hundred seventy-five dollars for each pool or beach open for the entire year.

Permit Fee Exemption: The permit fee provisions of this chapter shall not apply to swimming pools and beaches operated by religious, educational, and charitable institutuons or governmental units.

Two or more swimming pools or beaches located upon the same property and operated by the same person shall be deemed a single pool or beach for permit fee purposes.

Section 27-25 - Suspension, Revocation and Reinstatement of permits:

(a) (a) Suspension of Permit: Any permit issued under this chapter may be temporarily suspended by the health officer without notice of hearing, except as herein provided, for a period of not to exceed 30 days, for any of the following reasons:

(1) Failure to meet any of the standards required by this chapter:

(2) Violation of any provision or provisions of this chapter:

(3) Interference with the health officer of any of his authorized representatives in performance of their duties; provided, that if such failure, violation or interference is not such that continuation thereof may constitute an immediate danger to public health, forty-eight hours written notice to comply shall first be given: provided that upon written application from the permittee, served upon the health officer within 15 days after such suspension, the health officer shall conduct a hearing upon the matter after at least 5 days written notice of the time, place and purpose thereof to the suspended permittee;

provided that any such suspension order shall be issued by the health officer in wirting and served upon the permittee or by delivery by certified mail to such address.

(b) Revocation of Permit: Any permit issued hereunder may be revoked by the health officer for willful or continuus violation of any provision or privisions of this article; provided, however, that no such revocation shall be ordered by the health officer except upon hearing and at least ten days written notice of the time, place and nature thereof. Such notice shall be served upon the permittee by leaving a copy at his usual place of business or by delivery by certified mail to such address. At such hearing, every person who is a party to such proceedings shall

have the right to submit evidence and to cross-examine witnesses and to be represented by counsel. All such hearings shall be conducted in an informal manner, but irrelevant, immaterial or unduly repetitious evidence shall be excluded. Upon the conclusion of such hearing, the health officer shall make a final order determining the issue in the case, which order shall be final and conclusive upon all parties: provided, however, that such order may be reviewed as hereafter provided. Any person aggrieved by such an order of the health officer shall be entitled to a review of such order before the board of health, by filing a written application therefor with the secretary of said board within 15 days after such order is issued. Upon receipt of such application, the board of health shall hear the matter de novo in open hearing for which at least 10 days notice of the time, place and purpose thereof shall be issued by the secretary of the board to all persons affected. Such notice may be served upon the persons affected by leaving a copy at their usual place of business or by delivery by certified United State mail to such address. At such hearing, the same rules or procedure shall apply as in the case of the hearing before the health officer; provided, only that upon written demand by the permittee affected, the board of health shall cause the proceedings before it to be recorded by a stenographer or reporter employed for such purpose, and such proceedings together with all papers and documents filed therein, shall be reproduced by the board in the form of a transcript, a copy of which shall be available to any party. The expense of such proceedings shall be charged to the party applying for the review, except that copies of transcripts shall be at the expense of the party obtaining such copies. The board may require the party applying for a review to deposit with such application an amount determined by it as necessary to secure such expense. The board shall make written findings of the facts in the case and shall enter its final order or determination of the matter in writing in the permanent records of the board.

(c) Reinstatement of Permit: Any person whose permit has been suspended at any time may make application for the reinstatement of his permit.

Section 27-26. Sanitation and safety.

(a) All swimming pools and beaches shall comply with the accepted and prevailing sanitary and safety requirements. In determining the accepted and prevailing requirements for pools, the health officer shall be governed by the regulations of the Indiana State Board of Health H.S.E. 16-R or as the same may be hereafter changed or amended. Such regulations are by reference incorporated herein and made part hereof, two copies of which shall be on file in the office of the city clerk and the city-county board of health for public inspection. The same sanitation standards applicable to the auxiliary facilities of swimming pools, such as dressing

rooms, toilets, bathing suits, etc., shall be applied to such auxiliary facilities of beaches.

(b) Beaches shall not be located in areas subject to pollution by sewage. In determining the accepted and prevailing sanitary standards for beaches, the sanitary officer shall be governed by the coliform index as conducted by the methods described in "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by American Public Health Association, American Waterworks Association, and Federation of Sewage in Industrial Wastes Association, current edition.

(c) Whole body contact: The fecal coliform content (either in the MPN or MH count) shall not exceed 200 per 100 ml as a monthly geometric mean based on not less than 5 samples per month; nor exceed 400 per 100 ml in more than 10 percent of all the samples taken during the moth. The months of April through October, inclusive, are designated as the recreational season for beaches.

Section 27-27. Inspection.

(a) Frequency of Inspection: The health officer shall inspect swimming pool or beach for which a permit is required under the provisions of this article at least once each month during the season for which the pool is open, and may require tests and reports each week.

(b) Procedure when violations noted: If during the inspection of any swimming pool or beach, the health officer discovers the violation of any of the sanitary requirements in Section 27-26 he shall issue a written order listing such violations to the operator or, in his absence, to the person in charge and fixing a time within which the said operator of said swimming pool or beach shall abate and remedy such violations. A copy of the written order shall be filed in the records of the health department.

(c) Authority to inspect and to copy records. The operator of the swimming pool or beach shall, upon the request of the health officer, permit access to all parts of such swimming pool or beach and shall permit copying any or all records relating to the enforcement of this article.

(d) Inspection outside of the city. Any person desiring inspection of a pool or beach outside of the city shall pay to the city a fee of fifteen dollars for each inspection requested.

Section 27-31. Prosecution of violators.

If upon a second inspection the health officer finds that any swimming pool or beach, which was in violation on a previous inspection, and concerning which a written order was issued, is again in violation of any of the provisions of this article the health officer shall furnish evidence of the violation to the city attorney, who shall prosecute all persons violating said provisions of this article.

Section 27-32. Penalty.

Any person violates any provision of this chapter shall be subject to a penalty of not more than three hundred dollars for each offense. Each and every violation of the provisions of this chapter and each day that the same continues shall constitute a separate offense.

Section 27-33 Severability of provisions of sections 27-22 to 27-31.

Should any section, paragraph, sentence, clause or phrase of section 27-22 to 27-32 be adjudged invalid or unconstitutional for any reason, the remainder of such sections shall not be affected thereby.

Section 2. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: None

Date: 6-26-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-14-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-20

SPECIAL ORDINANCE NO. S-106-79

AN ORDINANCE approving an Agreement to Purchase Real Estate with Horace J. Lee

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated June 12, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Horace J. Lee, for:

S 13 1/3' Lot 48, Fletcher's Add. and N 13 1/3' Lot 49 Fletcher's Add. to City of Fort Wayne (known as 1516 Fletcher Avenue), and Lot 45, Fletcher's Add. to City of Fort Wayne (known as 1510 Fletcher Avenue)

for the total cost of $250.00, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-106-79 on the 10th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-21

SPECIAL ORDINANCE NO. S-107-79

AN ORDINANCE approving an Agreement to
Purchase Real Estate with Kim L. Wallace

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated January 4, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Kim L. Wallace, for:

N 1/2 Lot 23 Hanna's Part., Plat B, to City of Fort Wayne, Allen County, Indiana, known as 1155 Harmar Street;

And

N 1/2 Lot 25 Hanna's Part., Plat B, to City of Fort Wayne, Allen County, Indiana, known as 1144 Division Street

for the total cost of $250.00, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-107-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-07-06

RESOLUTION NO. R-31-79

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Police Dept. unit No. 20, 1977 Plymouth, 4 door sedan License Plate #M011120	$1,471.23	Allen County Motors
2)	Police Dept. unit No. 15, 1978 Ford, 4 door sedan License Plate #M011115	310.70	Allen County Motors
	TOTAL	$1,781.93	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Buns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays : None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-31-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-07-07

RESOLUTION NO. R-32-79

A RESOLUTION authorizing payment to various vendors for repair parts for the Traffic Engineering Department

WHEREAS, the Traffic Engineering Department was in need of material and equipment, and insurance monies in reimbursement for such repair materials and equipment have been received and receipted by the City Controller:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the following companies the amounts set opposite them below, respectively, for furnishing such repair materials and equipment, upon receipt of proper vouchers from the City Traffic Engineer, to wit:

COMPANY	AMOUNT
Hoosier Fence Company	$1,778.22
3M Company	119.50
Ind. Fire Prevention Company	295.94
Total	$2,193.66

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-32-79 on the 10th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-07-21

RESOLUTION NO. R-33-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $1,250,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 18-64.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to another person or directly owned by another person; and

WHEREAS, James J. Schnekel, Richard D. Shultz, Michael Dahm, and Cooper, Brandt, Brenner, Fanger, Gaskill & Hartman, an Indiana Partnership, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or loan preceeds of an economic development financing to the Applicant for the same, said economic development facility to be an office building for the purpose of expanding the facilities of Schnekel and Shultz, Inc. and Cooper, Brandt, Brenner, Fanger, Gaskill & Hartman and including the real estate on which it is located. The facility will be located at 3701 Rupp Drive, Fort Wayne, Indiana (the "Project"); and

WHEREAS, the diversification of industry and an increase in approximately 35 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $1,250,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 10th day of July, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-33-79 on the 10th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-07-22 (as corrected)

RESOLUTION NO. R-34-79

A RESOLUTION finding, determining and ratifiying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $4,500,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 18-64.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to another person or directly owned by another person, and

WHEREAS, Genova, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or loan proceeds of an economic development financing to the Applicant for the same, said economic development facility to be a 195,000 square foot warehouse and distribution center for the purpose of warehousing, packaging and distributing plumbing products and other related products of Genova, Inc. including the real estate on which it is to be located and the machinery and equipment to be installed therein, and to be located on the 13th Street, Fort Wayne, Indiana, on an approximate 10 acre tract of land (the "Project"); and

WHEREAS, Genova, Inc., a Michigan Corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of industry and an increase in approximately 50-60 jobs opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms tha the promotion of disversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council futher finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $4,500,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purpose referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes. Adopted this 10th day of July, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-34-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-02-06 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District - General Business and M1 District Light Industrial under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. R11, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, towit:

Rolling Green Addition, Lots #180 thru 184: and,

Part of the Southwest Quarter of Section Seventeen (17), Township Thirty (30) North, Range Thirteen (13) East, in Allen County, Indiana, in particular described as follows:

Commencing at the northwest corner of said quarter section as defined by the intersection of the center line of the public roads, respectively known as the Hessen Cassel Road and the Moeller Road; thence east on the north line of said quarter section, as defined by the center line of said Moeller Road, a distance of Two Hundred and onetenth (200.1') feet to a point situated Ninetyfive (95') feet west of the northwest corner of the plat as recorded of Rolling Green Addition, in Plat Book 13, page 101 in the Office of the Recorder of said county; thence southward on a line parallel to the west line of said addition, by a deflection right of 89 degrees 22 minutes, a distance of Two Hundred Three and eight-tenths (203.8') feet; thence west-ward by a deflection right of 91 degrees 13 minutes, a distance of Two Hundred and sixtenths (200.6') feet to the west line of said quarter section, as defined by the center line of the said Hessen Cassel Road; thence north by a deflection right of 88 degrees 56 minutes, a distance of Two Hundred Two and one-tenth (202.1') feet to the place of begining; containing 0.9335 acres of land;

SUBJECT to public road upon and over the north Forty (40') feet thereof and upon and over the west Forty (40') feet thereof, occupied by the Moeller Road, or (Oxford Street) and the Hessen Cassel Road, respectively.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt
Nays: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico

Date: 7-10-79

Charles W. Westerman
City Clerk

BILL NO. G-79--01-11

GENERAL ORDINANCE NO. G- 15-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following alley, to wit:

A public alley running from Broadway on the east to Van Buren Street on the west, which alley is between Berry Street and Wayne Street to the City of Fort Wayne, Indiana, being in Rockhill's Amended Addition, Fort Wayne, Allen County, Indiana;

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-15-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-26

SPECIAL ORDINANCE NO. S-108-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5834-79,
between the City of Fort Wayne, Indiana
and Summit City Wrecking, Inc. for demolition
Wells Street Buildings

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 13, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Summit City Wrecking, Inc., for:

Demolition buildings at 1101, 1105, 1109 and 1123
Wells Street and site clearance,

under Board of Public Works Street Improvement Resolution No. 583479, at a total cost of $9,289.80, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-108-79 on the 10th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-79-06-27

SPECIAL ORDINANCE NO. S-109-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5832-79,
between the City of Fort Wayne, Indiana
and Hipskind Asphalt Corporation for
retaining walls at Penn Central Elevation

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 13, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hipskind Asphalt Corporation, for:

Construction of sidewalks, wingwalks, retaining walls under PennCentral Railroad elevation and pipe railing repair on College Street,

under Board of Public Works Street Improvement Resolution No. 5832.79, at a total cost of $53,375.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-109-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-28

SPECIAL ORDINANCE NO. S-110-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5826-79,
between the City of Fort Wayne, Indiana
and Hipskind Asphalt Corporation for
improving and resurfacing a certain intersection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 4, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hipskind Asphalt Corporation, for:

Improving the Bluffton Road and Old Trail Road Intersection, with concrete pavement, widening and resurfacing, new curbs and new storm drainage, street lights and a new traffic signal,

under Board of Public Works Street Improvement Resolution No. 582679, at a total cost of $195,913.25, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-110-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-15

SPECIAL ORDINANCE NO. S-111-79

AN ORDINANCE approving Change Order No. 1
for Contract 77-W-3, in connection with
St. Joseph Dam and Pump Station Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 for Contract 77W3 to Shambaugh & Son, in connection with the St. Joseph Dam and Pump Station Additions, for:

Adding a bus tie circuit breaker to metalclad switch gear, revising potential transformer wiring to that shown and revising pump starter interlocks, rearrange feeder wire for pump stations and revise new incoming service cables,

in the amount of $44,968.00, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, HInga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-111-79 on the 10th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-29

SPECIAL ORDINANCE NO. S-112-79

AN ORDINANCE approving Sewer Contract
No. 877-79, between the City of Fort
Wayne, Indiana and T-G Excavating, Inc.,
for Wilkie's Addition sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 4, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and TG Excavating, Inc., Contractor, for:

Construction of sanitary sewer in Wilkie's Addition,

under Board of Public Works Sewer Contract No. 87779, at a total cost of $70,633.25, which will be paid by property owners through Barrett Bond, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-112-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-31

SPECIAL ORDINANCE NO. S-113-79

AN ORDINANCE approving City Utilities
Purchase Order No. 148 with V. R. Myers
Pump for equipment for the Water Maintenance
& Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1148, dated June 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and V. R. Myers Pump, for:

Various sizes of Cast Iron Charlotte Valve Box Tops
for Water Maintenance & Service Department,

at a cost of $2,530.50, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-113-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T

Robert E. Armstrong
Mayor

BILL NO. S-79-06-32

SPECIAL ORDINANCE NO. S-114-79

AN ORDINANCE approving an Agreement with
Macke Development Corporation, for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement dated May 21, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Macke Development Corporation, Developer, for:

SANITARY SEWER

Pine Valley Country Club 12th Addition

Main #1

Beginning at an existing sanitary manhole located near the Southwest corner of lot #630 of said addition; thence Northerly 260 ± L.F. along the West property line of said lot and lot #674 of said addition to a proposed manhole located near the Northwest corner of said lot #674; thence, Easterly 620 ± L.F. along the North property line of lot #620 thru #674 inclusive to proposed manhole located near the Northeast corner of lot #670 of said addition.

Lateral #1

Beginning at a existing sanitary sewer manhole located 5 ± L.F. west of and 5 ± L.F. north of the Southeast corner of lot #662 of said addition then Northerly 735 ± L.F. along the East property line of lot #662 thru lot #669 inclusive terminating at a proposed manhole 65 ± L.F. North of 5 ± L.F. West of the Southeast corner of Lot # 669 of said addition.

of which the developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-114-79 on the 10th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-05-25

GENERAL ORDINANCE NO. G-16-79

AN ORDINANCE AMENDING ARTICLE II,
CHAPTER 13, SECTION 13-19 OF THE CODE
OF THE CITY OF FORT WAYNE, INDIANA OF 1974

BE IT ORDIANED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Section 1319 of Article II, Chapter 13 of The Code of the City of Fort Wayne of 1974 be repealed and the following Section 1319 shall be substituted therefor:

Every applicant for a permit to operate a food service establishment, temporary food service establishment, mobile food service establishment, food market, temporary food market or as a vending operator shall tender to the treasurer of the county a fee and such fee shall be deposited into the city-county health fund for each such operation in accordance with the following schedule of fees

Permit fees shall be paid annually, or for such lesser period or hereafter specified in accordance with the following classifications:

(a) Food service establishments, temporary food service establishments, temporary food markets:

(1)	1 through 5 employees	$ 55.00
(2)	6 through 9 employees	$ 85.00
(3)	10 or more employees	$130.00
(4)	Temporary food service establishments, each day's operation	8.00
(5)	Temporary food market	5.00
(6)	All other food service establishments not otherwise provided for above or hereinafter	

(b) Food market.

	Square Footage of Floor Area		
(1)	Under 2,000		
(2)	2,000 to 7,999 square feet	55.00	
(3)	8,000 to 9,999 square feet		85.00
(4)	10,000 square feet or over	130.00	

(c) Mobile food service establishment Gross Weight of Mobile Food Establishment:

(1)	Under 1,000lbs	55.00
(2)	Over 1,000 lbs.	85.00

(d) Vending Operator

(1)	One to not more than ten food or beverage vending machines, per machine	7.50
(2)	Eleven to not more than twenty five machines	112.50
(3)	Twenty-six to not more than fifty machines	150.00
(4)	Fifty-one to not more than one hundred machines	225.00
(5)	One hundred and one to mot more than two hundred machines	300.00
(6)	Two hundred and one but not more than three hundred machines	375.00
(7)	Three hundred and one or more machines	450.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Five
Hinga, Hunter, D. Schmidt, V. Schmidt, Stier
Nays: Four
Burns, Moses, Nuckols, Talarico

Date: 7-10-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-16-79 on the 10th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of July, 1979, at the hour of 4:15 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-25

SPECIAL ORDINANCE NO. S-115-79

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BONDS (HOOVER UNIVERSAL, INC. PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Hoover Universal, Inc. Project regarding the financing of proposed economic development facilities for Hoover Universal, Inc. and the Fort Wayne Planning Commission has commented favorable thereon; and

WHEREAS, The Fort Wayne Economic Development Commission conducted a public hearing on July 6, 1979, and also adopted a resolution on July 6, 1979, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Hoover Universal, Inc. complies with the purposes and provision of I.C. 1864.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adopttion of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, and Trust Indenture and Offering Memorandum; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Dvelopment Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Hoover Universal, Inc. for the acquisition and construction of such facilities and the equipping thereof, and the payment of the revenue bonds by the note payments of Hoover Universal, Inc. under the Loan Agreement and Note, complies with the purpose and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The final forms of the Loan Agreement, Note; Trust Indenture and Offering Memorandum approved by the Fort Wayne Economic Development Commission are hereby approved

and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

SECTION 3. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Hoover Universal, Inc. Project), in the total principal amount of Eight Million Dollars ($8,000,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Trust Indenture and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the note payments made by Hoover Universal, Inc. under the Loan Agreement and Note or as otherwise provided in the above described Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

SECTION 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 67/8% per annum and at a price not less than 100% of the principal amount thereof.

SECTION 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consumate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Trust Indenture, payment for which will be made to the Trustee named in the Trust Indenture and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this Ordinance and the Trust Indenture securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bonds (Hoover Universal, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmit
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-115-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 8:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1979, at the hour of 8:20 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-03

SPECIAL ORDINANCE NO. S-116-79

AN ORDINANCE approving an Agreement
to Purchase Real Estate from Eugen A.
Bondarenko for the Board of Public Works

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated June 22, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and Eugen A. Bondarenko, for:

Lot 77, South 22.25' and Lot 78, North 21 2/3'
LaSalle's Addition to the City of Fort Wayne,
Allen County, Indiana,

for the total cost of $125.00, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-116-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-04

SPECIAL ORDINANCE NO. S-117-79

AN ORDINANCE approving a contract
between Commercial Warehouse and
Cartage, Inc. and the City of Fort
Wayne by and through its Department
of Public Safety for Fire protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 1, 1979, between the City of Fort Wayne,

by and through its Mayor and Board of Public Safety and Commercial Warehouse and Cartage, Inc., for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

2425 American Way, Allen County, Indiana

SECTION 2. That the cost of Commercial Warehouse and Cartage, Inc. shall be the sum of $2,421.91, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-117-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-05

SPECIAL ORDINANCE NO. S- 118-79

AN ORDINANCE approving a contract
between Zollner Corporation and the
City of Fort Wayne by and through its
Department of Public Safety for Fire
protection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 1, 1979, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety and Zollner Corporation, for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to wit:

All buildings and improvements of Zollner,
presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard south,

a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

SECTION 2. That the cost of Zollner Corporation shall be the sum of $5,796.14, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 486176.

SECTION 3. That said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 4. That this ORdinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S=118-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-23

SPECIAL ORDINANCE NO. S-119-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (WAYNE HARDWARE COMPANY, INC.)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Wayne Hardware Company, Inc. Project regarding the financing of proposed economic development facilities for Wayne Hardware Company, Inc. and the Fort Wayne Plan Commission has commented favorable thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on May 30, 1979, and also adopted Resolutions on May 30, 1979, and June 29, 1979, which Resolutions have been transmitted hereto, finding that the financing of certain economic development facilities of Wayne Hardware Company, Inc. complies with the purposes and provisions of I.C. 1864.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note and Mortgage and Indenture of Trust; now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Wayne Hardware Company, Inc. for the acquisition and construction of such facilities and the equippping thereof, the payment of the revenue bonds by the note payments of Wayne Hardware Company, Inc. under the Loan Agreement and Note, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust complies with the purposes and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Loan Agreement, Note and Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated hereby by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Wayne Hardware Company, Inc. Project), in the total principal amount of Six Hundred Fifty Thousand Dollars ($650,000.00) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the note payments made by Wayne Hardware Company, Inc. under the Loan Agreement and Note or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never consititute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 8% per annum and at a price not less than 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk and/or Controller are authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

Section 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1979 (Wayne Hardware Company, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: NOne

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-119-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-07-44

RESOLUTION NO. R-35-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $1,000,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-64.5 (the "Act"_ to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Keebler Company (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 22,000 square foot warehouse and distribution facility including the real estate on which it is located, Research Drive, Interstate Industrial Park in Fort Wayne, Indiana; and

WHEREAS, the Keebler Company will guarantee all bonds payment if necessary; and

WHEREAS, the diversification of economic development and increase in job opportunities (22 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort WayneEconomic Developmdnt Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF FORT WAYNE, INDIANA:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance

and sale of revenue bonds in an amount not to execced $1,000,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-35-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-05-08

ZONING MAP ORDINANCE NO. Z-19-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-31

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 031, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, towit:

Part of the S. 1/2 of the S. 1/2 of th N.E. 1/4, together with part of the N. 1/2 of S.E. 1/4, Sec. 36, T. 30 N., R. 12 E., Allen County, Indiana, containing approximately 6.6. Acres, located south and contiguous to the Southtown Mall on South Anthony Blvd.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: ONe
Hunter

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-19-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-05-10

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 03

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 03, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

The east 32 of Lot #53 and the west 4 feet of Lot #54 in Colonel Reed's Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 1424 Creighton Avenue.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 7-24-79

Charles W. Westerman
City Clerk

BILL NO. G-79-05-11

GENERAL ORDINANCE NO. G-17-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Garfield Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of ten GENeral Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to wit:

Part of Garfield Street lying West of Lot #26 and Lot #27 in Anthony Boulevard Place Addition, more particularly described as follows:

Commencing at the Northwest corner of Lot #26 in Anthony Boulevard Place Addition said point being the East right-of-way line of Garfield Street; thence Southeasterly along the West line of Lot #26 a distance of 10.1 feet to the point of beginning; thence South and parallel to the East line of Lot #26 and Lot #27 a distance of 82 feet; thence East and parallel to the South line of Lot #27 a distance of 37.5 feet to a point on the West line of Lot #27, which said point is the point of intersection of the South and West lines of Lot #72; thence Northwesterly on and along the West lines of Lot #27 and Lot #26 to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-17-79 on the 24th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-12

SPECIAL ORDINANCE NO. S-120-79

AN ORDINANCE approving a contract for
Sidewalk Improvement Resolution No. 5829-79,
between the City of Fort Wayne, Indiana
and Hipskind Concrete Corporation, Contractor
for Oxford Neighborhood Phase IV and LaRez
Neighborhood Phase II

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 20, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Hipskind Concrete Corporation, Contractor, for:

improving the curb, sidewalk and drainage structures
for Oxford Neighborhood Phase IV and LaRez Neighborhood
Phase II

under Board of Public Works Sidewalk Improvement Resolution No. 582979, at a total cost of $115,227.70, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-120-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-13

SPECIAL ORDINANCE NO. S-121-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5835-79,
between the City of Fort Wayne, Indiana
and Spears-Dehner, Inc., Contractor
for improvement of Fernhill Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
S

SECTION 1. That a certain contract, dated June 25, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and SpearsDehner, Inc., Contractor, for:

improving Fernhill Avenue from Wells Street East to
Northrop Avenue, with concrete pavement, curbs,
street lighting, storm sewers, new traffic signals
and island realignment,

under Board of Public Works Street Improvement Resolution No. 583579, at a total cost of $998,674.51, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-121-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-30

SPECIAL ORDINANCE NO. S-122-79

AN ORDINANCE approving Sewer Contract No. 304-78, between the City of Fort Wayne, Indiana and Ground Services, Inc., Covington Rd./Ardmore Ave. Area

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 11, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Ground Services, Inc., Contractor, for:

Construction of sanitary sewer in Interurban Acre Addition, Crestholme Amd. Addition & Hartman's Outlots (Covington Rd./Ardmore Ave. Area),

under Board of Public Works Sewer Contract No. 30478, at a total cost of $173,362.50, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after is passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-122-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-04-14

SPECIAL ORDINANCE NO. S- 123-79

AN ORDINANCE approving Change Order No. 1, Sewer Improvement, Resolution NO. 878-79, in connection with Ludwig Park Sanitary Sewer, Division II

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Sewer Improvement Resolution No. 87879, to TG Excavating, Inc., in connection with Ludwig Park Sanitary Sewer, Division II Project, for:

163 L.F. of 8" Sewer Pipe to relocate proposed sanitary sewer so as not to have detrimental effect of real estate value of property owned by Amoco Oil Company, and which Amoco will not receive any benefits thereto,

in the amount of $3,538.73, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-123-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-15

SPECIAL ORDINANCE NO. S-124-79

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 878-79, between the City of Fort Wayne, Indiana and L.W. Dailey, Inc., Contractor for Ludwig Park Area Sanitary Sewer, Division I

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 20, 1979, between the City of Fort Wayne, Indiana, by and throug hits Mayor and the Board of Public Works, and L.W. Dailey, Inc., Contractor, for installation of the following:

DIVISION 1

MAIN LINE A: Beginning at a proposed Structure A1 over an existing 12" sanitary sewer located 165 ± LF North of the centerline of Wolverton Drive and 17 ± LF East of the centerline of Rodenbeck Drive; thence Northerly 40 ±LF to proposed Structure A2 located 205 ± LF North of the centerline of Wolverton Drive and 29 ± LF East of the centerline of Rodenbeck Drive; thence Northerly 177 ±LF to proposed Structure A3 located 29 ± LF South of the certline of Pelham Drive and 29 ± LF East of Rodenbeck Drive; thence

North 280 ± to proposed Structure A4, located 29 ± LF East of the centerline of Rodenbeck Drive; thence North 264 ± LF to proposed Structure A5 located 29 ± LF North of the centerline of Orlando Drive and 29 ± LF East of the centerline of Rodenbeck Drive; thence North 220 ± LF to proposed Structure A5, located 29 ± LF East of Redenbeck Drive; thence North 277 ± LF to proposed Structure A7, located 29 ± LF East of Rodenbeck Drive and 30 ± LF North of centerline of Ludwig Park Drive; thence North 366 ±LF to proposed Structure A8 located 29 ± LF East of the centerline of Rodenbeck Drive; thence 246 ± LF to proposed Structure A9 located 34 ± LF South of the centerline of Ludwig Road and 29 ± LF East of the centerline of Rodenbeck Drive.

Said sewer shall be 10" in diameter.

LATERAL A1 Beginning at the above described Structure A2, thence East 143 ± LF along a line 7 ± LF North of and parallel to the North line of the vacated lot 117 of Rodenbeck's Seventh Addition, to proposed Structure A10 located 7 ± LF North of and 7 ± LF East of the Northeast corner of said vacated lot 117; thence South 85 ± LF along a line 7 ± LF East of and parallel to the East line of said vacated lot 117.

Said sewer shall be 8" in diameter.

LATERAL A2 Beginning at the above described Structure A3, thence Westerly 1188 ± LF along a line 29 ± LF South of and parallel to the centerline of Pelham Drive terminating at proposed Structure A13, located 15 ± LF West of the East property line of Lot 76 of Rodenbeck's Fourth Addition.

Said sewer shall be 8" in diameter.

LATERAL A3 Beginning at the above described Structure A5, thence Westerly 1310 ± LF along a line 29 ± LF North of and parallel to the centerline of Orlando Drive and terminating at proposed Structure A17 located 29 ±LF North of the centerline of Orlando Drive and 125 ± LF East of the centerline of Sharon Drive.

Said sewer shall be 8" in diameter.

LATERAL A4 Beginning at the above described Structure A7, thence West 1154 ±LF along a line 29 ± LF North of and parallel to the centerline of Ludwig Park Drive to proposed Structure A20, thence Southwesterly 160 ± LF to proposed Structure A21 located 21 ±LF South of the centerline of Ludwig Park Drive and 175 ± LF East of the centerline of Sharon Drive.

Said sewer shall be 8" in diameter.

LATERAL A5 Beginning at the above described Structure A9; thence West 354 ± LF to proposed Structure A23 located 29 ±LF South of the centerline of Ludwig Road; thence West 910 ±LF to proposed Structure A26 located 29 ± LF South of the centerline of Ludwig Road and 165 ±LF East of the centerline of Sharon Drive.

Said sewer shall be 8" in diameter.

LATERAL A6 Beginning at the above described Structure A4; thence West 390 ± LF to proposed Structure A27 located 1 ±LF North of the Southwest corner of Lot 60 of Rodenbeck's Third Addition as Recorded in Plat Book 21, Page 113; thence West 400 ±LF to proposed Structure A28 located 49 ±LF East of and 8 ± LF South of the Northwest corner of Lot 69 of Rodenbeck's Fourth Addition, as Recorded by Plat Book 26, Page 93; thence West 511 ±LF to Structure A30 located 12 ±LF West of and 7 ±LF South of the Northeast corner of Lot 74 of said Rodenbeck's Fourth Addition.

Said sewer shall be 8" in diameter,

under Board of Public Works Sewer Improvement Resolution No. 87879, at a total cost of $323,136.90, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things, hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-124-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-16

SPECIAL ORDINANCE NO. S-125-79

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 878-79, between the City of Fort Wayne, Indiana and T & G Excavating, Inc., Contractor for Ludwig Park Area Sanitary Sewer, Division II

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 20, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and T & G Excavating, Inc., Contractor, for installation of the following:

DIVISION II

MAIN LINE B: Beginning at proposed Structure B1 over an existing 10" sanitary sewer located 18 ± LF South of and 8 ± LF East of the Southeast corner of Lot 35 of Rodenbeck's Fifth Addition as Recorded in Plat Book 25, Page 35; thence North 370 ± LF to proposed Structure B2 located 2 ± LF East of the Southwest corner of Lot 2 of Rodenbeck's Fifty Addition as Recorded by Plat Book 25, Page 35; thence North 242 ± LF to a proposed Structure B3 located 5 ±LF North of and 4 ±LF West of the Southeast corner of Lot 73 of Ludwig Park Addition as Recorded in Plat Book 23, Pages 49 and 50; thence North 235 ± LF to proposed Structure B4 located 3 ± LF South of the Southeast corner of Lot #69 of said Ludwig Park Addition, 233 ± LF to proposed Structure B5 located 4 ± LF North of and 4 ± Lf West of the Southeast corner of Lot 39 of said Ludwig Park Addition; thence North 180 ±LF proposed Structure B6 located 2 ±LF West of the Northeast corner of Lot 39 of said Ludwig Park Addition; thence Northeasterly 65 ±LF to proposed Structure B7 located 3 ± LF North of the Southeast corner of Lot 37 of said Ludwig Park Addition; thence North 243 ±LF to proposed Structure B8 located 6 ±LF North of the Southeast corner of Lot 4 of said Ludwig Park Addition; thence North 65 ±LF to proposed Structure B9 located 15 ±LF North of the Southwest corner of Lot 1 of said Ludwig Park Addition.

Said sewer shall be 8" and 10" in diameter.

LATERAL B1 Beginning at the above described Structure B3 thence East 561 ±LF to proposed Structure B11 located 10 ±LF West of and 5 ±LF North of the Southeast corner of Lot 78 of said Ludwig Park Addition.

Said sewer shall be 8" in diameter.

LATERAL B2 Beginning at the above described Structure B5 thence West 800 ±LF to proposed Structure B13 located 5 ±LF North of and 16 ± LF West of the Southeast corner of Lot 46 of said Ludwig Park Addition; thence West 400 ± LF to Structure B14 located 4 ± LF South of and 27 ±LF West of the Northeast corner of Lot 59 of said Ludwig Park Addition; thence West 462 ± LF to proposed Structure B16 located 5 ±LF South of and 10 ±LF East of the Northeast corner of Lot 54 of said Ludwig Park Addition.

Said sewer shall be 8" in diameter.

LATERAL B3 Beginning at the above described Structure B8; thence West 1707 ±LF to the proposed Structure B21 located 6 ±LF North of and 3 ± LF West of the Southwest corner of Lot 20 of said Ludwig Park Addition; thence North 113 ±LF to proposed Structure B22 located 119 ±LF North of and 3 ±LF West of the Southwest corner of Lot 20 of said Ludwig Park Addition; thence West 110 ± LF terminating at proposed Structure B23.

Said sewer shall be 10" in diameter.

LATERAL B5 Beginning at the above described structure B21, thence South 106 ± LF to proposed Structure B24 located 100 ± LF South of and 4 ±LF West of the Northwest corner of Lot 21 of said Ludwig Park Addition.

Said sewer shall be 8" in diameter.

LATERAL C Beginning at an existing manhole located 202 ±LF South of the centerline of Washington Center Road and 109 ±LF East of the Southerly extension of the centerline of Oregon Drive; thence West along a line parallel to the centerline of Washington Center Road 282 ± LF to proposed Structure C1 located 7 ± LF East of the East right-of-way line of Lima Road (State Road #3); thence Northerly 124 ±LF along a line 7 ±LF East of and parallel to the East right-of-way line of Lima Road (State Road #3) to proposed Structure C2 located 101 ± LF South of the centerline of Washington Center Road; thence North 400 ±LF to proposed Structure C3 located 63 ±LF North of and 3 ± LF West of the Southwest corner of Lot 21 of Rodenbeck's Fifty Addition, as recorded by Plat Book 25, Page 35; thence North 1093 ±LF to proposed Structure C6 located 7 ±LF North of and 2 ±LF East of the Southeast corner of Lot 86 of Ludwig Park Addition, as recorded by Plat Book 23, Pages 49 and 50; thence West 184 ±LF to proposed Structure C7 located 8 ± LF North of and 9 ±LF East of the Southwest corner of Lot 87 of said Ludwig Park Addition; thence North 116 ±LF to proposed Structure C8 located 16 ± LF North of and 3 ±LF East of the Southeast corner of Lot 88 of said Ludwig Park Addition.

Said sewer shall be 8" in diameter.

LATERAL C1 Beginning at the above described Structure C6, thence East 716 ±LF to proposed Structure C10 located 52 ±LF East of and 7 ± LF North of the Southeast corner of Lot 79 of said Ludwig Park Addition.

Said sewer shall be 8" in diameter.

LATERAL D Beginning at an existing manhole located 12 ± LF South of and 8 ±LF West of the Southeast corner of Lot 25 of said Rodenbeck's Fifth Addition; thence West 110 ± LF to proposed structure D1 located 6 ± LF South of and 10 ± Lf West of the Southeast Corner of Lot 24 of said Rodenbeck's Fifth Addition.

Said sewer shall be 8" in diameter,

under Board of Public Works Sewer Improvement Resolution No. 87879, at a total cost of $363,123.05, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage an approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, HUnter, Moses, Nuckols, D. Schmidt, Stier, V. Schmidt, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-125-79 on the 24th day of July, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-17

SPECIAL ORDINANCE NO. S-126-79

AN ORDINANCE approving a contract for Water Contract #7903, between the City of Fort Wayne, Indiana and Fox Contractors Corporation, for construction of water main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated June 18, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Fox Contractors Corporation, for:

construction of 1085 ± feet of 24inch water main on Indianapolis Road from existing 16-inch water main on Baer Field Thruway (Dalman Road) northward a distance of approximately 1085 feet.

under Board of Public Works Water Contract #7903, at a total cost of $44,630.51, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-126-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-18

SPECIAL ORDINANCE NO. S-127-79

AN ORDINANCE approving Change Order No. 1,
Street Light Improvement Resolution No.
134-78 in connection with Victoria Park
Addition Ornamental Street Lighting Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Street Light Improvement Resolution No. 134-78, to T & F Construction Corporation, in connection with Victoria Park Addition Ornamental Street Lighting Project, for:

the addition of one more street light installation in order to avoid utility conflicts for proper installation and location of street light underground conductor.

in the amount of $236.30 as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-127-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-19

SPECIAL ORDINANCE NO. S-128-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1168 with Murray
Equipment for gas pump for City Utilities
Garage

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 168, dated June 22, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Murray Equipment, for:

One pedestal Gas Pump, Tokheim 1248, for City Utilities
Garage Gas Station,

at a cost of $2,873.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-128-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-20

SPECIAL ORDINANCE NO. S-129-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1166 with I.B.M.
Corporation for lease of equipment for
the Data Processing Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1166, dated June 21, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and I.B.M. Corporation, for:

Seven CRT (IBM) Model 2 and One each of Printers Model 1 and One Type "A" Terminal Adapter for IBM 3274 Model IB Controller, Adapter #6902, for City Utilities Data Processing Department, said items on monthly lease with 24month lease agreement,

at a cost of $5,808.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-24-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-19-79 on the 24th day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-24

SPECIAL ORDINANCE NO. S-130-79

AN ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, department and institutional head of the City of Fort Wayne, Indiana of the year 1980

WHEREAS, the Mayor and the Common Council of the City of Fort Wayne, Indiana, have assigned to each employee of the City of Fort Wayne a labor grade according to the classification system originally established by Ordinance No. S-84-73, which grades accurately reflect the duties and responsibilities of said employees; and

WHEREAS, the Mayor of the City of Fort Wayne has recommended a maximum salary level for each employee of the City of Fort Wayne, according to labor grade; and

WHEREAS, the Common Council must assure that salaries reflect the duties and responsibilities assigned to each employee, and to be certain that salaries are fair and equitable, and provide an incentive for person to seek and hold employment with the City of Fort Wayne; and

WHEREAS, the funds for such salaries are to be provided from the 1980 City Budget and other sources as may be specified by the Common Council.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That all employees of the City of Fort Wayne, Indiana, shall be classified by the following departments, titles, and labor grades, and that no change shall be made in any title or in any labor grade level without approval of the Common Council. Further, no employee shall be regarded or retitled during 1980 unless the employee is promoted or demoted during that year to an existing position and no new positions shall be created without approval of the Common Council.

CIVIL CITY

POSITIONS AND SET SALARIES FOR THE YEAR 1980

NUMBER OF POSITIONS	TITLE OF POSITION	LABOR GRADE	1980 SALARY

010-001 - MAYOR

1	Mayor	20	32,000
1	Administrative Assistant	18	20,742
1	Executive Secretary	7	13,432
1	Executive Secretary A	7	11,049
1	Executive Secretary A	6	9,845

010-002 - CONTROLLER

1	Controller	19	29,207
1	Deputy Controller	17	22,765
1	Urban Grants Director	16	20,150
1	Internal Auditor	15	18,810
1	Administrator Federal Funds	14	20,880
1	Office Manager	13	17,486
2	Financial Accountant	13	16,435
1	Barrett Law Accountant	9	13,919
1	Bookkeeping Machine Operator	7	12,076
1	Executive Secretary	7	12,574
1	Accounting Clerk	6	11,858
1	Accountant/Bank Reconciliation	8	11,858
9	Council Members	U	5,500
1 *	Account Clerk	6	9,844

010-003 - PURCHASING

1	Director	16	21,331
1	Assistant Director	14	16,306
1	Buyer	10	14,997
1	Buyer	10	12,920
1	Secretary A	6	9,847

010-004 - CITY CLERK

1	City Clerk	U	17,000
1	Council Attorney	U	17,780
1/2	Legal Secretary	U	4,506
1	Chief Deputy Clerk	U	11,853
1	Teller	3	10,152
1	Personnel Supervisor		
	Secretary A	U	11,458
1	Secretary A	6	10,561
1	Secretary C	4	10,152
1	Secretary C	4	8,638
1	Clerk Typist A	3	8,076
2*	Clerk	U	6,640

010-005 METRO. HUMAN RELATIONS

1	Executive Director	17	21,729
1	Deputy Director	14	18,761
1	Staff Attorney	14	18,019
1	Human Relations Representative	10	13,460
1	Secretary A	6	10,586
1*	Secretary B	5	9,303
1*	Job Development Specialist	14	13,020

010-006 - BOARD OF PUBLIC WORKS

1	Chairman	19	29,207
2	Board Members	18	22,633
1	Administrative Assistant	15	17,600
1	Board Clerk	13	19,180
1	Inspector A	10	15,413
1	Record Clerk	7	12,076
1	Secretary A	6	11,636
1	Secretary B	5	11,229

010-007 - WEIGHTS & MEASURES

1	Inspector	10	17,279
1	Assistant Inspector	6	11,637
2*	Deputy Inspectors	6	10,005

010-008 - COMMUNITY DEVELOPMENT & PLANNING

1	Director	19	26,076
1	Director Long Range Planning	17	22,912
2	Sr. Planner	16	19,191
1/2	Sr. Planner	16	9,596
1	Assoc. Planner	15	16,434
2	Assoc. Planner	15	16,308
1/2	Assoc. Planner	14	8,153
1/2	Administrative Assistant	13	8,421
1	Land Use Administrator	12	14,997
1	Assistant Planner	12	14,997
1	Assistant Planner	12	14,588
1	Zone Enforce. Officer	12	16,435
1	Asst. Zone Enforcer	10	13,018
1	Secretary A	6	11,458
1	Executive Secretary A	6	10,536
2	Secretary B	5	9,373

010-009 - LAW DEPARTMENT

1	City Attorney	U	22,518
1	Associate City Attorney	U	18,632
5	Associate City Attorney	U	12,796
1	Legal Secretary	8	13,250

010-010 - STREET ENGINEEING

1	Street Engineer	16	23,574
1	Project Engineer	14	18,801
1	Project Engineer	14	18,384
1	Project Engineer	14	16,996
1	Project Engineer	14	16,308
1	Land Acquisition Agent	13	16,434
1	Junior Engineer	12	16,434
1	Junior Engineer	12	15,486
1	Junior Engineer	12	14,997
3	Junior Engineer	12	14,588
1	Engineer Technician	10	16,305
1	Engineer Assistant	10	14,588
1	Secretary A	6	11,354
1	Secretary B	5	9,306

101-011 - TRAFFIC ENGINEERING

1	Traffic Engineer	16	22,351
1	Asst. Traffic Engineer	15	19,978
1	Asst. Traffic Engineer	15	16,931
1	Engineer	13	19,201
1	Project Engineer	14	16,307
2	Signal Foreman	13	18,303
1	Signal & Mark. Supervisor	12	17,196
7	Signal Electrician	11	16,842
1	Engineer Technician	10	12,920
4	Signal Apprentice A	10	16,162
1	Data Processing Technician	9	12,076
1	Technician	9	12,076
1	Painter 1st Class	7	13,011
2	Painter 1st Class	7	12,442
1	Painter 1st Class	7	12,076
1	Painter 1st Class	7	11,267
1	Painter 1st Class	7	11,049

1	Painter 1st Class	7	10,536
1	Clerk Typist A	3	10,153
1	Clerk Typist A	3	9,334
1	Secretary A	6	9,844
1*	Signal Electrician	11	16,842

010-012 - BOARD OF PUBLIC SAFETY

2	Member	U	3,500
1	EEO-Affirm. Action Officer	U	14,588

010-014 - POLICE DEPARTMENT

1	Chief	17	23,316
1	Asst. Chief	15	20,309
2	Deputy Chief	15	19,227
8	Captain	12	17,914
15	Lieutenant	11	17,113
15	First Master Sgt.	10	16,476
46	Sergeant	10	16,315
18	Tech I, Detective I	10	15,518
198	Tech II, Detective II, Patrolman	9	15,518
1	Attorney	U	14,224
1	Chemist	14	20,137
1	Mechanic	8	12,856
1	Mechanic	8	13,473
1	Mechanic	8	13,374
1	Mechanic	8	12,854
1	Exec. Secretary B	5	10,586
1	Exec. Secretary B	5	9,922
1	Exec. Secretary B	5	10,561
1	Exec. Secretary B	5	9,460
2	Secretary B	5	11,229
1	Secretary B	5	9,946
1	Secretary B	5	9,460
3	Secretary B	5	9,306
1	Mechanic Helper	5	11,752
1	Exec. Secretary C	4	9,280
1	Information Specialist	3	8,638
1	Clerk Typist A	3	9,460
1	Clerk Typist A	3	9,202
3	Clerk Typist A	3	8,769
1	Clerk Typist A	3	8,628
4	Clerk Typist A	3	8,074
1	Custodian	3	10,425
1*	Patrolman (B)	9	15,518
1*	Patrolman (C)	9	15,518
2*	Police Technician	9	11,995
1*	Office Administrator	7	11,124

A. All sworn officers, up to and including Captain, regularly assigned to "B" and "C" shifts of the Fort Wayne Police Department, shall receive a shift differential as follows:

(a) Those regularly assigned to "B" shift, or any shift beginning between 12 Noon and 3:00 P.M. shall have added to their regular determined earnings 5% of the base patrolman's salary for such pay period.

(b) Those regularly assigned to "C" shift, or any shift beginning between 9:00 P.M. and 12 Midnight, shall have added to their regular determined earnings 10% of the base patrolman's salary for each pay period.

Those eligible for the shift differential shall not include patrolmen with less than six months seniority, civilian employees, any officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the shift differential for police pension purposes.

B. Technician classifications for police officers are established to reflect greater responsibilities and pay rates over other basic officers as determined by department management. Technician adders are as follows to a limited total of $24,400:

Technician I Rating	$700 per year
Technician II Rating	$400 per year
Detective I Rating	$500 per year
Detective II Rating	$300 per year

Detective II rating and bonus shall be given to all police Officers who are classified as Detectives and who have completed (2) two years of service in the Detective Bureau. Detective I rating and bonus shall be given as deemed appropriate by the Chief of Police.
In no event shall the base salary of the first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the technician pay for police pension purposes.

C. All sworn personnel of the Fort Wayne Police Department being regularly employed as police officers shall receive monetary incentive for successfully completing courses at an accredited college or university as follows:

(a) From 1-60 semester hours, or 1-90 quarter hours the officer shall receive a bonus of $10 per year for every semester or quarter completed with a grade "C" or better.

(b) In excess of 60 semester hours or 90 quarter hours, the officer shall receive a bonus of $10 per year for every semester hour completed with a grade "C" or better.

(c) An additional bonus of $300 per year shall be granted to all officers receiving a four-year baccalaureate degree or its equivalent. Those receiving a two-year degree or its equivalent, shall receive a bonus in the amount of $150. In no case shall the bonus for an earned degree exceed $300 or a total bonus for any one officer exceed $1,500.

(d) Those attending police oriented seminars, conferences, institutes, or schools shall receive 1/2 semester or 3/4 quarter hour of credit upon successful completion of the course.

The bonus shall be added to the officers's regularly determined earnings. In no event shall the base salary of a first class patrolman, whithin the meaning of Burns Indiana Statutes Annotated Section 48-6403, be considered as including the educational bonus for police pension purposes. Those eligible for the educational incentive program shall not include officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

NUMBER OF POSITIONS	TITLE OF POSITION	LABOR GRADE	1980 SALARY
010-015 - FIRE DEPARTMENT			
1	Chief	17	23,316
1	Deputy Chief	16	21,051
6	Asst. Chief	15	19,205
7	District Chief	13	18,305
17	Platoon Captain	12	17,556
41	Captain	11	16,844
18	Lieutenants	10	16,165
175	Firefighter	9	15,518
1	Secretary B	5	8,637
1	Secretary B	5	11,229
1	Secretary B	5	11,229
1	Secretary B	5	11,229
1*	Secretary C	4	8,639

010 -016 OFFICE OF EMERGENCY SERVICES

1	Director	18	22,567
1/2	Secretary A	6	5,416

010-017 - HUMANE COMMISSION

1	Manager	12	16,318
1	Spec. Humane Officer	9	14,386
6	Humane Officer	8	14,030
1	Humane Officer	8	11,347
1	Utility Person	7	11,051
1	Clerk Dispatcher	3	10,273
1	Clerk Dispatcher	3	8,075
1	Kennel Worker	3	10,273
2	Kennel Worker	3	8,073
1*	Education Specialist	8	10,600
3*	Kennel Worker	3	8,073
1*	Clerk Dispatcher	3	8,075

010-018 - COMMUNICATIONS

1	Chief	15	19,227
1	Captain	13	17,914
1	Chief Dispatcher	13	17,114
4	Lieutenant	11	16,476
3	Sergeant	10	16,315
4	Radio Technician	11	16,795
1	Radio Technician (Civilian)	11	16,795
13	Dispatcher	9	15,518
5	Dispatcher (Civilian)	9	15,518
1	Exec. Secretary B	5	9,303
1*	Radio Technician	11	16,795
2*	Dispatchers	9	15,518

A. Technician classifications for Communications Department officers are established to reflect technical requirements and pay rates over basic officer's as determined by department management. Technician adders are as follows to a limited total of $18,100; Technician I $700 per year
Technician II $500 per year

010-019 - EMERGENCY MEDICAL SERVICES

1	Director	14	18,020
3	Supervisor (ALS)	10	12,760
18	EMT (ALS)	9	11,889
10	EMT	7	11,889
1	Secretary A	6	10,539

Advanced Life Support (ALS) classifications above are established for qualified EMT's to reflect greater responsibilities and pay rates over other basic EMT personnel as determined by department management. ALS adders are limited to a maximum of $31,500.

010-020 - PUBLIC AFFAIRS

1	Director Citizens Part.	13	15,485
1	Ombudsman	13	15,485
1	Asst. Ombudsman	5	10,736
1	Administrative Asst.	9	11,994

120 - AVIATION COMMISSION

1	Manager	18	27,858
1	Asst. Manager	14	19,744
1	Asst. Mgr. Operations	13	18,094
1	Asst. Mgr. Finance	13	18,094
1	Chief Crash F/P	13	18,094
1	Sr. Electrician	13	15,486
2	Capt. Crash F/P	12	15,959
1	Sr. Mechanic	12	14,587
1	Supt. Water Plant	12	14,587
1	Sr. Roads & Grounds Foreman	12	14,587
1	Asst. Supt. Roads & Grounds	10	12,921
1	Lt. Crash F/P	10	15,245
1	Lt. Crash F/P	10	15,245
2	Capt.	9	14,583
3	Firefighter/Pol. Officer	9	14,583
1	Carpenter	8	12,923
1	Chief Custodian	7	11,354
1	Executive Secretary	7	10,537

1	Sr. Laborer	7	10,537
1	Equipment Operator	8	12,786
2	Equipment Operator	8	11,354
1	Equipment Operator	6	9,844
1	Water Plant Operator	6	9,844
5	Jr. Equipment Operator	4	8,638
1	Terminal Police	4	10,004
3	Custodian	3	8,071
1	Janitor	3	10,234
1	Janitor	3	8,830
1	Janitor	3	9,483
1	Janitor	3	9,182
1	Secretary B	5	9,304

121 - PARK DEPARTMENT

1	Director	18	25,247
2	Asst. Supt.	15	19,494
1	Business Manager	15	19,028
1	Director	13	20,455
1	Director	11	15,586
1	Supervisor A	11	16,104
4	Supervisor A	11	17,226
1	Supervisor A	11	15,717
1	Supervisor A	11	13,791
1	Golf Pro (McMillen)	10	16,531
4	Supervisor B	10	16,280
1	Supervisor B	11	15,715
1	Supervisor B	11	15,075
1	Supervisor B	10	13,613
5	Supervisor B	11	13,791
2	Golf Pro	9	7,822
1	Public Information Officer	9	11,996
1	Administrative Asst.	9	14,994
1	Supervisor C	9	15,114
1	Supervisor C	9	15,079
1	Supervisor C	9	13,277
1	Supervisor C	9	11,996
4	Working Leader	9	14,037
1	Working Leader	9	13,379
2	Working Leader	9	13,277
1	Zoo Curator	9	12,636
1	Office Manager	9	11,996
1	Carpenter	8	13,627
2	Carpenter	8	13,510
1	Carpenter	8	11,353
1	Draftsperson	8	11,353
1	Electrician	8	13,627
1	Electrician	8	13,510
3	Fleet Mechanic	8	13,627
1	Heavy Equipment Operator	8	13,627
2	Heavy Equipment Operator	8	13,103
3	Hi Ranger Operator	8	13,627
1	Landscape Work, Leader	8	12,228
1	Floriculturist	8	11,353
2	Mason - Carpenter	8	13,627
1	Painter	8	13,627
2	Park Man A	8	13,627
3	Grounds Maintenance A	8	13,627
1	Grounds Maintenance A	8	13,100
2	Park Svc. Officer	8	14,079

1	Park Svc. Officer	8	12,228
1	Park Svc. Officer	8	11,353
2	Plumber	8	13,627
2	Small Motor Mechanic	8	13,627
1	Stockroom Keeper	8	13,627
1	Welder	8	13,627
2	Zoo Attendant	8	11,353
5	General Constr.	7	10,537
2	Gardener	7	13,218
1	Gardener	7	12,077
3	Gardener	7	10,537
1	Plant Propagator	7	9,845
1	Park Person B	7	13,218
3	Painter B	7	13,218
1	Plumber B	7	13,218
1	Rec. Stockman	7	13,218
5	Spec. Equipment Operator	7	13,218
2	Ball Diamond Person	6	12,671
1	Ball Diamond Person	6	12,560
1	Ball Diamond Person	6	9,845
1	Grounds Maintenance B	6	12,671
2	Grounds Maintenance B	6	9,845
2	Custodian	6	12,671
1	Park Person C	6	12,560
1	Garbage Truck Operator	6	12,671
2	Golf Course Man	6	12,671
1	Golf Course Man	6	9,845
1	Ice Rink Maintenance	6	12,671
2	Park Person C	6	12,671
1	Park Person C	6	12,560
2	Park Person C	6	9,845
2	Grounds Maintenance B	6	12,671
3	Grounds Maintenance B	6	9,845
1	Recreation Instructor	6	10,923
1	Recreation Instructor	6	9,845
1	Relief Person	6	12,671
1	Relief Person	6	9,845
1	Grounds Equip. Operator	6	12,671
2	Grounds Equip. Operator	6	11,996
5	Grounds Equip. Operator	6	9,845
1	Garbage Crew Helper	5	9,305
1	Gardener Helper	5	11,989
1	Gardener Helper	5	10,894
1	Gardener Helper	5	9,305
1	Greenhouse Grower	5	9,305
1	Gardener B	5	11,989
1	Gardener B	5	9,305
1	Park Helper	5	11,989
3	Park Helper	5	9,305
1	Park Helper	5	11,989
1	Park Helper	5	11,868
1	Sec. B - Bookkeeper	5	11,228
1	Sec. B - Bookkeeper	5	10,586
1	Sec. B - Bookkeeper	5	10,561
7	Sec. B - Bookkeeper	5	9,305
1	Grounds Equip. Operator	6	11,996
2	Tree Crew Helper	5	11,989
2	Tree Crew Helper	5	9,305
3	Grounds Maint. Helper	5	9,305
2*	Recreation Leader A	5	9,304
1*	Naturalist	8	11,353
1*	Supervisor C	8	11,353
4*	Park Service Officer	8	11,353
1*	Park Service Officer	9	11,996
1*	Supervisor A	11	13,790

123 - REDEVELOPMENT GENERAL

1	Executive Director	19	29,038
1	Deputy Director	17	19,188
1	Project Tech. Draftsman A	10	12,921
1	Executive Secretary A	7	11,719
1	Finance & Relocation Spec.	13	15,486

132 - PARKING ADMINISTRATION

1	Parking Administrator	13	17,106
1	Parking Control Officer I	9	15,162
1	Parking Control Officer II	8	12,664
1	Garage Leader	8	11,356
2	Parking Control Officer III	4	10,561
1	Secretary C	4	9,995
2	Utility Man	3	8,075
1	Attendant	2	8,126

SPECIAL FOOTNOTE TO SECTION 1.

The asterisk (*) listed after the number of positions means that the Position is set up for Salary Ordinance purposes but will not be funded in the Budget Submission; if funds are available in January of 1980, additional appropriation will be requested.

SECTION 2. That from and after the first day of January 1, 1980, all appointive officers, employees, deputies, assistants, departmental and institutional heads of the City of Fort Wayne, Indiana be paid according to this, the above, and the following provisions of this ordinance, subject to budgetary provisions.

SECTION 3. All departments must conform to Personnel policies as approved by the Mayor and administered by the City's Personnel Department.

SECTION 4. If any section, clause, sentence, paragraph, part or provision of this ordinance shall be held invalid, it shall be conclusively presumed that this ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 7-31-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-130-79 on the 31st day of July, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the 1st day of August, 1979, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 1st day of August, 1979, at the hour of 4:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-27

SPECIAL ORDINANCE NO. S-131-79

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS $500,000 ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BOND (REG PROPERTIES PROJECT) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

WHEREAS, The City of Fort Wayne Economic Development Commission has been duly created by the City of Fort Wayne, Indiana, and the members of the Commission have been duly appointed and qualified pursuant to law; and

WHEREAS, the City of Fort Wayne Economic Development Commission has prepared and filed with the Allen County Plan Commission its report entitled "Report of the City of Fort Wayne Economic Development Commission Concerning the Proposed Construction and Leasing of Economic Development Facilities to REG Properties"; and

WHEREAS, the Allen County Plan Commission has filed its written comments concerning the proposed economic development facilities and approving the same; and

WHEREAS, the City of Fort Wayne Economic Development Commission, after a public hearing conducted on March 30, 1979, adopted a Resolution on the same date, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of REG Properties complies with the purposes and provisions of I.C. 1971, 1864.5, as supplemented and amended (the "Act"), and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the City of Fort Wayne Economic Development Commission has heretofore approved and recommended to this Common Council that it adopt this form of Ordinance and has approved the forms of and has transmitted for approval by this Common Council the Lease Agreement, Mortgage and Indenture of Trust and Guaranty Agreement; now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. It is hereby found and determined that the financing of the economic development facilities referred to in the Lease Agreement approved by the City of Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of $500,000 Economic Development First Mortgage Revenue Bond of the City of Fort Wayne, the use of the net proceeds thereof for the construction and equipment of such facilities, the lease of such facilities to REG Properties, the payment of principal ofpremium, if any, and interest on such bond from rental payments pursuant to the Lease Agreement, and the securing of said bonds by the mortgaging of such facilities to the Trustee named in the Mortgage and Indenture of Trust, all as previously approved by the City of Fort Wayne Economic Development Commission and presented to this Common Council, will be of benefit to the health and welfare of the City of Fort Wayne and its citizens and complies with the purposes and provisions of the Act.

SECTION 2. The forms of the Lease Agreement, the Mortgage and Indenture of Trust and the Guaranty Agreement approved by the City of Fort Wayne Economic Development Commission are hereby approved. Such documents collectively shall be considered the "Financing Agreement" referred to in the Act. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 3. The City of Fort Wayne hereby detemines that an economic development first mortgage revenue bond shall be issued pursuant to the Act in the principal amount of $500,000 for the aforesaid purpose. Such bond shall be designated "City of Fort Wayne Economic Development First Mortgage Revenue Bond (REG Properties Project)" (the "Bond"), and shall be issued for the purpose of procuring funds to pay the costs of construction and equipment of the economic development facilities, as more particularly set out in the Mortgage and Indenture of Trust and Lease Agreement incorporated herein by reference, which Bond shall be issued in the form and denomination and shall be executed, dated, be subject to redemption on the dates and at the prices as provided in the above described Mortgage and Indenture of Trust. The Bond will be payable as to principal, premium, if any, and interest from the rental payments made by REG Properties under the Lease Agreement and from other revenues and income realized under the Lease Agreement, or an otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne. Additional bonds may be authorized and issued by the City upon the terms provided in the Mortgage and Indenture of Trust.

SECTION 4. The Mayor and the City Clerk are authorized and directed to sell the Bonds

to the purchasers thereof at a rate of interest not to exceed 83/4% per annum and a price of 100% of the principal amount thereof. The Bonds shall be scheduled to mature in monthly installments over a period of twenty years, as more specifically set forth in the Mortgage and Indenture of Trust. Payments of principal of, premium, if any, and interest on the Bonds shall be made in the manner and on the dates prescribed in the Mortgage and Indenture of Trust,.

SECTION 5. The Mayor and the City Clerk be and they are hereby authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to consummate the transaction including, without implied limitation, the Bond authorized herein and financing statements to be utilized in connection with the perfection of security agreements. The forms of the documents constituting the Financing Agreement shall be subject to such changes as are not inconsistent with this Ordinance and as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution of such documents by the Mayor and/or the City Clerk. The signatures of the Mayor and the City Clerk on the Bond and coupons, if any, may be facsimile signatures. The City Clerk is authorized to arrange for delivery of the Bond to the Trustee named in the Mortgage and Indenture of Trust, for delivery to the purchasers thereof against payment therefor to such Trustee.

SECTION 6. The principal proceeds of the sale of the Bond shall be deposited with and held by the Trustee and applied by the Trustee in accordance with the Mortgage and Indenture of Trust. The Trustee is hereby authorized to disburse funds held under the Mortgage and Indenture of Trust on behalf of the Issuer in accordance with said Indenture.

SECTION 7. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the Bond shall constitute binding between the City of Fort Wayne and the holder or holders of the Bond, and after the issuance of the Bond, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any portion of the Bond or the interest thereon remains unpaid.

SECTION 8. The actions of the Mayor or any other officer of the City in doing any and all acts necessary in connection with the construction and equipping of the Project and the issuance of the Bond are hereby ratified and confirmed.

SECTION 9. The proper officers, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary in connection with the construction and equipping of the Project and the issuance of the Bond.

SECTION 10. All Ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 11. It is hereby found and determined that all official actions of this Common Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Common Council and of any of its committees, if any, that resulted in such official action were taken in meetings open to th public, in full compliance with applicable legal requirements, including I.C. 5141.57.

SECTION 12. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-131-79 on the 14th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-42

SPECIAL ORDINANCE NO. S-132-79

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BONDS (SAFETY EQUIPMENT & SUPPLY, INC. PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Safety Equipment & Supply, Inc. Project regarding the financing of proposed economic development facilities for Safety Equipment & Supply, Inc. and the Fort Wayne Planning Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on May 21, 1979, and also adopted a resolution on May 21, 1979, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Safety Equipment & Supply, Inc. complies with the purposes and provisions of I.C. 1864.5 and that such financing will be of benefit to the health and welfare of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Notice, Lease and Trust Indenture and now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Barbara M. Neufer and Edward L. Neufer for the acquisition and construction of such facilities and the equipping thereof, and the payment of the revenue bonds by the rent payments of Safety Equipment & Supply, Inc. under the Loan Agreement and Note, complies with the purposes and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The final forms of the Loan Agreement, Note, Lease and Trust Indenture approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

SECTION 3. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Safety Equipment & Supply, Inc. Project), in the total principal amount of Three Hundred Twenty-Five Thousand Dollars ($325,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Trust Indenture and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the rent payments made by Safety Equipment & Supply, Inc. under the Loan Agreement and Note or as otherwise provided in the above described Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

SECTION 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 81/2% per annum and at a price not less than 100% of the principal amount threof.

SECTION 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Trust Indenture, payment for which will be made to the Trustee named in the Trust Indenture and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this Ordinance and the Trust Indenture securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bonds (Safety Equipment & Supply, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-132-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-43

SPECIAL ORDINANCE NO. S-133-79

AN ORDINANCE AUTHORIZING THE CITY OF
FORT WAYNE TO ISSUE ITS "ECONOMIC
DEVELOPMENT REVENUE BONDS, KEYSTONE
DISTRIBUTION PARK (KEYSTONE PROJECT)"
AND APPROVING AND AUTHORIZING OTHER
ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Keystone Project regarding the financing of proposed economic development facilities for Keystone Distribution Park, an Indiana general partnership, and the Fort Wayne Planning Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing

on June 16, 1978, and also adopted a resolution on June 16, 1978, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Keystone Distribution Park, an Indiana general partnership, complies with the purposes and provisions of I.C. 1864.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, and Trust Indenture; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Keystone Distribution Park, an Indiana general partnership, for the acquisition and construction of such facilities and the equipping thereof, and the payment of the revenue bonds by the note payments of Keystone Distribution Park, an Indiana general partnership, under the Loan Agreement and Note, complies with the purposes and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The final forms of the Loan Agreement, Note, and Trust Indenture approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk.

SECTION 3. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Keystone Distribution Park Project), in the total principal amount of Three Hundred Ninety Thousand Dollars ($390,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Trust Indenture and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the note payments made by Keystone Distribution Park, an Indiana general partnership, under the Loan Agreement and Note or as otherwise provided in the above described Trust Indenture. The bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

SECTION 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 81/2% per annum and at a price not less than 100% of the principal amount thereof.

SECTION 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Trust Indenture, payment for which will be made to the Trustee named in the Trust Indenture and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this Ordinance and the Trust Indenture securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bonds (Keystone Distribution Park Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-133-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-06

RESOLUTION NO. R-36-79

A RESOLUTION authorizing the transfer of funds from Account No. 4-02-0121-121-4111 "Salaries & Wages" to Account No. 4-02-121-121-4271 "Services Contractual-Recreational Services" in the 1979 Budget of the Parks and Recreation Services" in the 1979 Budget of the Parks and Recreation Department

WHEREAS, it has become necessary to transfer funds to Account No. 4021211214271 "Services ContractualRecreational Services" in the 1979 Budget of the Parks and Recreation Department, for which adequate funds exist in Account No. 4021211214111 "Salaries & Wages", and which transfer has beeen recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne is hereby authorized to transfer the sum of $11,627.00 to Account No. 4021211214271 "Services Contractual Recreational Services" of the 1979 Budget of the Parks and Recreation Department.

SECTION 2. That the unappropriated and unexpended balance of Account No. 402121-1214111 "Salaries & Wages" is hereby reduced in the amount of $11,627.00.

SECTION 3 That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-36-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-10

RESOLUTION NO. R-37-79

A RESOLUTION authorizing payment to
various agencies for repair of various vehicles

WHEREAS, (1) the following City vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3) repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to wit:

	Vehicle	Insurance Payment	Repair Agency
1)	Park Dept. unit No. 40, 1972 International Truck License Plate #M010140	$373.50	Auto Rebuilding Co.
2)	Board of Works Unit No. 3 1979 Chevrolet Truck License Plate #M05614	$1,127.70	Hefner Chevrolet
	TOTAL	$1,501.20	

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the above amounts to the above named agencies, for vehicle repair work as set out above.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hings, Hunter, Moses, D. Schmdit, V. Schmidt, STier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-37-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-12

RESOLUTION NO. R-38-79

A RESOLUTION authorizing the transfer of funds from Police Department Account No. 4-02-010-014-01-4111 "Salaries and Wages, Regular" to various accounts within the Police Department 1979 budget

WHEREAS, it has become necessary to transfer funds from the Police Department "Salaries and Wages, Regular" Account No. 4-02-010-014-01-4111 to various accounts within the Police Department budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne is hereby authorized to transfer the sum of $79,200.00 from the Police Department "Salaries and Wages, Regular" Account No. 4-02-010-014-01-4111 and appropriate to the various accounts of the 1979 budget of the Police Department numbered and named below, the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
4-02-010-014-01-4254	Repair of Vehicles	$14,000.00
4-02-010-014-01-4262	Garbage Collection	200.00
4-02-010-014-01-4430	Repair Parts	15,000.00
4-02-010-014-01-4321	Gasoline	50,000.00
	Total	$79,200.00

SECTION 2. That the unappropriated and unexpended balance of Account No. 402010-014014111 "Salaries and Wages, Regular" is hereby reduced in the amount of $79,200.00.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-38-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-14

RESOLUTION NO. R-39-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $3,000,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 18-64.5 (the "act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to another person or directly owned by another person; and

WHEREAS, Payless Cashways, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or loan proceeds of an economic development financing to the Applicant for the same, said economic development facility to be two (2) building materials supermarts and supporting facilities, the north project site consisting of a 28,000 square foot sales and office building, a 30,000 square foot warehouse and an 11,000 square foot Tshed on 9.89 acres of the southwest corner of Coliseum Boulevard and G.R. & I. Railroad; and the south projeect site consisting of a 28,000 square foot office building, a 30,000 square foot warehouse and two (2) 8,000 square foot Tsheds on 6.77 acres at the southwest corner of South Anthony Boulevard and the Southtown Mall; and the machinery and equipment to be installed in each facility, but not the real estate on which the two facilities will be located (the "Project"); and

WHEREAS, Payless Cashways, Inc., and Iowa corporation, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of industry and an increase in approximately 100 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive

effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council finds, determines, ratified and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The Common Council further finds, determines ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $3,000,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 14th day of August, 1979.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-39-79 on the 14th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-15

RESOLUTION NO. R-40-79

A RESOLUTION REQUESTING STUDY BY
APPROPRIATE DEPARTMENT OF THE CITY
OF FORT WAYNE TO DETERMINE IF FUNDS
ARE AVAILABLE TO FINANCE STUDY ON
COST OF AMP PROPOSAL

WHEREAS, the Association for Municipal Power (AMP) has requested the Common Council of the City of Fort Wayne to finance, first, the cost of a legal study, and after that, the cost of an economic and engineering study, and report on the issue of purchase, condemnation and/or reacquisition of the presently operating electric utility; and

WHEREAS, one authority to initiate the appropriation of monies for the above purposes is in the Executive Department of the City of Fort Wayne;

NOW THEREFORE BE IT RESOLVED:

That the Mayor of the City of Fort Wayne take whatever steps his department deems necessary to consider appropriation of funds to finance costs of studies on the proposal by AMP for City of Fort Wayne, Indiana to purchase, condemn and/or acquire the presently operating electric utility.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns
Absent: One
Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-40-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-06-06

ZONING MAP ORDINANCE NO. Z-20-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. K7 & L7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning May No. K7 & L7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots 71 thru 98 Nindes Addition; East 69.5' of Lots 1 & 2 and Lots 4 thru 21 Kuhne & Heaton's Addition; Lots 1 thru 4 0. S. Hanna's Addition' Lots 1 thru 12 in VonKahlden's Addition; Lots 1 thru 10 VonKahlden's 2nd Addition; Lots 89 thru 92 in Federal 11th Addition; Lots 140 thru 148 and Lots 155 thru 165 in W.J. & M.S. Vesey's 3rd Addition; East 76' of Lots 74 & 75, Lots 80 thru 111, East 105' of Lots 114 & 115, East 50' of Lot 116, Lots 120 thru 135 and Lots 138 & 139 in W. J. & M.S. Vesey's 2nd Addition.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-20-79 on the 14th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-06-07

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-26

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R2 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N26, referred to therein, established by Section 3311,

of said Chapter are hereby changed accordingly, to wit:

Lot #27 and 28, Highland Park Forest Addition to the City of Fort Wayne, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: SEven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: Two Hunter, Nuckols
Date: 8-14-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-06-25

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-22

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. Q22, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 1, 2, and 3 in Perry's Suburban Addition

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

BILL NO. S-79-07-35

SPECIAL ORDINANCE NO. S-134-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5830-79, between the City of Fort Wayne, Indiana and Moellering Construction Company, Inc., Contractor for improvement of Production Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 9, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Moellering Construction Company,

Inc., Contractor, for:

improving Production Road on north and south sides from west pavement edge of State Road #3 to a point 425 feet west thereof, and to lengthen westbound left turn lane on State Road #3,

under Board of Public Works Street Improvement Resolution No. 583079, at a total cost of $50,951.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-134-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-36

SPECIAL ORDINANCE NO. S-135-79

AN ORDINANCE approving a contract for Sidewalk Improvement Resolution No. 5828-79, between the City of Fort Wayne, Indiana and L. W. Dailey, Inc., Contractor for East Central Phase IV and Hanna-Creighton, Phase III

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 9, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and L. W. Dailey, Inc., Contractor, for:

repair and replacement of curb, sidewalks, catch basins and drive approaches on Eliza Street from the east curb line of Gay Street to the west property line of Ohio Street (East Central, Phase IV); and both sides of Smith Street from Green Street to Pontiac Street, on the east side of Winter Street from Creighton Avenue to Milan Street, and on both sides of Oliver Street from Pontiac Street to Hurd Street (HannaCreighton, Phase III),

under Board of Public Works Sidewalk Improvement Resolution No. 582879, at a total cost of $140,747.75, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-135-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-37

SPECIAL ORDINANCE NO. S-136-79

AN ORDINANCE approving a contract for
Sidewalk Improvement Resolution No. 5827-79,
between the City of Fort Wayne, Indiana
and L. W. Dailey, Inc., Contractor for
Nebraska Neighborhood, Phase IV; West Central
Neighborhood, Phase IV, Section A & B;
Northwest Central Neighborhood, Phase III-79

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. that a certain contract, dated July 9, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and L. W. Dailey, Inc., Contractor, for:

construction of sidewalks, curbs, wingwalks and catch basins for Nebraska Neighborhood, Phase IV; West Central Neighborhood, Phase IV, Sections A & B; Northwest Central Neighborhood, Phase III79,

under Board of Public Works Sidewalk Improvement Resolution No. 582779, at a total cost of $188,031.30, all as more particularly set forth in said contract which is on file in the Office of the Board of Public

Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-136-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-38

SPECIAL ORDINANCE NO. S-137-79

AN ORDINANCE approving Water Pollution Control Treatment Agreement between the City of Fort Wayne and Sewage Utilities of Indiana, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Water Pollution Control Treatment Agreement dated July 16, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Sewage Utilities of Indiana, Inc., for:

The connection of the Pine Valley sewer system into the St. Joe Interceptor, thereby eliminating the treatment facility,

monies to be paid to City of Fort Wayne for hookup by Sewage Utilities of Indiana, Inc., all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-137-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-39

SPECIAL ORDINANCE NO. S-138-79

AN ORDINANCE approving City Utilities Purchase Order No. 1208 with General Electric Company, Apparatus Service Division, for repair of pump for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1208, dated July 12, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and General Electric Company, Apparatus Service Division, for:

Repair of No. 5 High Service GE Pump Motor, steam clean and paint, for Three Rivers Filtration Plant,

at a cost of $5,896.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-138-79 on the 14th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-40

SPECIAL ORDINANCE NO. S-139-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1194 with Treaty
Company for equipment for the Water
Maintenance & Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 194, dated July 5, 1979, between the City of Fort Wayne, by and through the City Utilities Purchase Agent and the Board of Public Works and Treaty Company, for:

Six 12" tapping Valves with gaskets, bolts and
glands for use in Water Maintenance repair work
by the Water Maintenance & Service Department,

at a cost of $4,150.44, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-139-79 on the 14th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-41

SPECIAL ORDINANCE NO. S-140-79

AN ORDINANCE approving a blanket purchase order - City Utilities Purchase Order No. B-1191, for chemicals for the Water Pollution Control Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B1191, dated July 3, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and ByProducts Management, Inc., for:

One year's supply of Liquid Ferrous Sulfate (Pickle Liquor) for use in the Water Pollution Control Plant for ammonia removal and purification efficiency,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-140-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-33

RESOLUTION NO. R-41-79

A RESOLUTION CONCERNING REQUESTED
RATE INCREASE BY CITIZENS CABLE
OF ALLEN COUNTY, INC.

WHEREAS, Citizens Cable of Allen County, Inc. has requested the Board of Public Works to approve a rate increase for its operations within the corporate limits of the City of Fort Wayne; and

WHEREAS, General Ordinance No. G2777 (the Fort Wayne Indiana Cable TV Franchise Ordinance) contains an approved rate schedule for the City of Fort Wayne; and

WHEREAS, the granting of a franchise to Citizens Cable of Allen County, Inc., as a result of the agreement with Citizens Cable of Fort Wayne, Inc. was on condition of compliance by Citizens Cable of Allen County, Inc. with the provisions of General Ordinance No. G2777 which sets rates for Citizens of Fort Wayne, Indiana; and

WHEREAS, the granting of the request of the Citizens Cable of Allen County, Inc. at a different rate than elsewhere in the City of Fort Wayne would be discriminatory.

NOW THEREFORE BE IT RESOLVED:

That the Common Council of the City of Fort Wayne does hereby in all things agree with the Board of Public Works of said City in its letter to Citizens Cable of Allen County, Inc. of July 26, 1979, advising that it will not grant a rate increase for Citizens Cable of Allen County, Inc. operations within the corporate limits of the City of Fort Wayne, Indiana.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hunter, Nuckols

Date: 8-14-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-41-79 on the 14th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of August, 1979, at the hour of 9:00 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-03

SPECIAL ORDINANCE NO. S-141-79

AN ORDINANCE fixing the tax levy for
the City of Fort Wayne for the year 1980

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of $4.3301 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1980, the same to be divided as follows:

General Fund	$2.8874
Park Department	.5729
Redevelopment General	.0250
Fire Pension	.2607
Police Pension	.2794
Sanitary Officers Pension	.0145
Fine Arts Foundation	.0073
Redevelopment Bond	.0688
1975 Street Bond	.0701
Sewer Relief	.0662
Public Lighting	.0329
Redevelopment District Capital	.0449
TOTAL	$4.3301

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-27-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-141-79 on the 27th day of August, 1979

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1979, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1979, at the hour of 2:30 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-07-26

SPECIAL ORDINANCE NO. S-142-79

AN ORDINANCE AUTHORIZING HOOSIER TERMINAL COMPANY TO ASSIGN A LEASE DATED 9/15/76 AND TO AUTHORIZE GLADIEUX REFINERY, INC. A NOTE AND MORTGAGE DATED 9/15/76 IN THE ORIGINAL AMOUNT OF $710,000.00

WHEREAS, on 9/15/76, City of Fort Wayne entered into a lease with Hoosier Terminal Company and a note and mortgage in the sum of $710,000.00 for construction of an Economic Development facility and,

WHEREAS, Hoosier Terminal Company now desires to assign all of its interest in said lease to Gladieux Refinery, Inc;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. That Hoosier Terminal Company be authorized to assign a certain lease for economic development facilities dated 9/15/76 to Gladieux Refinery, Inc.

SECTION 2. That Gladieux Refinery, Inc. be authorized to issue the liability of Hoosier Terminal Company without releasing Hoosier Terminal Company from liability.

SECTION 3. That the assignment and assumption set forth in Sections 1 and 2 of this ordinance shall not be effective unless written consent of the Trustee of the Bond issue and unanimous written consent of the bondholder is obtained prior to any assignment or assumption.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-142-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of August, 1979, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-09

SPECIAL ORDINANCE NO. S-143-79

AN ORDINANCE of the City of Fort Wayne concerning the acquisition of land and the construction, maintenance, operation and financing of off-street parking facilities thereon, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said project, the safeguarding of the interests of the holders of said bonds, and other matters connected therewith.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana finds that surveys and studies have been made by the Redevelopment Commission of Fort Wayne and recommendations of said organization have been made showing that a necessity exists for the acquisition, construction and installation of an off-street parking structure at a certain location in the downtown area of the City of Fort Wayne hereinafter more particularly set forth; that the acquisition of land and the construction and operation thereon of said off-street parking facilities are necessary for the proper protection of the public safety and welfare and will be of public utility and benefit to the City and its citizens; that the cost of the acquisition of land and construction thereon of said off-street parking facilities may be provided by the issuance of revenue bonds which will not constitute a general obligation of the City; and

WHEREAS, said surveys, field studies, analyses and recommendations have heretofore been considered and approved by the Board of Public Safety, the Board of Public Works, and the Common Council, and the Common Council has heretofore directed the Board of Public Works to proceed with said facilities as provided by law; and

WHEREAS, the Common Council further finds that the Board of Public Works in conjunction with the City's Redevelopment Commission entered into contracts for the purchase of the major portions of the following described lands for use as off-street parking facilities in the City of Fort Wayne, Allen County, Indiana, to-wit:

Beginning at the point of intersection of the northerly right-of-way line of Washington Boulevard and the easterly right-of-way line of Clinton Street; thence westerly along the northerly right-of-way line of Washington Boulevard to the westerly right-of-way line of Calhoun Street; thence southerly along the westerly right-of-way line of Calhoun Street to the southerly right-of-way line of the alley connecting Clinton Street on the east and Calhoun Street on the west; thence easterly along the southerly right-of-way line of said alley to the easterly right-of-way line of Clinton Street; thence northerly along the easterly right-of-way line of Clinton Street to the point of beginning.

and also caused plans, specifications and estimates of the cost of the purchase and construction of said facilities to be prepared, and adopted a resolution declaring the public utility and benefit of the facilities to the City and its citizens; that the Board of Public Works caused to be published, as provided by law, notice of the adoption of said resolution and of a public hearing open to all persons interested in or affected by such proceedings to be held on July 12, 1979; that on said date said Board held a public hearing at which time said Board took final action determining the public utility and benefit of the proposed facilities to the City and its citizens and confirmed its declaratory resolution; and

WHEREAS, the Common Council further finds that the Board of Public Works has fixed and determined the cost of acquisition of said described property; that said costs will be financed by

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and all improvements thereto and structures, equipment and appurtenances now or hereafter placed thereon. Said facilities shall be constructed on said lands as described hereinabove and in accordance with the descriptions, plats, specifications and estimates adopted by said Board. The share of the cost of acquisition and construction of said facilities to be paid from the proceeds of bonds, including all incidental expenses necessary to be incurred in connection therewith and in connection with the issuance of bonds on account thereof, shall not exceed the sum of One Million Dollars($1,000,000). No obligation shall be incurred beyond the extent to which money has been or may be made available to the Board of Public Works by the Common Council, from the proceeds of the Grant, or from funds on hand.

Said project shall be constructed and operated, and the bonds herein authorized shall be issued, pursuant to and in accordance with the provisions of Indiana Code Title 19, Article 5, Chapter 11, and acts supplemental thereto, hereinafter sometimes referred to as the "Act". The terms "parking facility", "facility", "off-street parking facilities", "facilities", or "project", as used in this ordinance, shall mean and refer to the Civic Center

> Beginning at the point of intersection of the northerly right-of-way line of Washington Boulevard and the easterly right-of-way line of Clinton Street; thence westerly along the northerly right-of-way line of Washington Boulevard to the westerly right-of-way line of Calhoun Street; thence southerly along the westerly right-of-way line of Calhoun Street to the southerly right-of-way line of the alley connecting Clinton Street on the east and Calhoun Street on the west; thence easterly along the southerly right-of-way line of said alley to the easterly right-of-way line of Clinton Street; thence northerly along the easterly right-of-way line of Clinton Street to the point of beginning.

and all improvements thereto and structures, equipment and appurtenances now or hereafter placed thereon. Said facilities shall be constructed on said lands as described hereinabove and in accordance with the descriptions, plats, specifications and estimates adopted by said Board. The share of the cost of acquisition and construction of said facilities to be paid from the proceeds of bonds, including all incidental expenses necessary to be incurred in connection therewith and in connection with the issuance of bonds on account thereof, shall not exceed the sum of One Million Dollars($1,000,000). No obligation shall be incurred beyond the extent to which money has been or may be made available to the Board of Public Works by the Common Council, from the proceeds of the Grant, or from funds on hand.

Said project shall be constructed and operated, and the bonds herein authorized shall be issued, pursuant to and in accordance with the provisions of Indiana Code Title 19, Article 5, Chapter 11, and acts supplemental thereto, hereinafter sometimes referred to as the "Act". The terms "parking facility", "facility", "off-street parking facilities", "facilities", or "project", as used in this ordinance, shall mean and refer to the Civic Center Parking Garage as herein defined, and shall include the lands therein described on which said projects are to be located, all structures and improvements at, placed or made on said lands, entrances, exits, equipment and all other accessories or appurtenances necessary or desirable for safety and convenience in the off-street parking of vehicles.

SECTION 2. For the purpose of procuring funds to be applied on the cost of said Civic Center Parking Garage, the City of Fort Wayne shall issue its off-street parking revenue bonds in the amount of One Million Dollars ($1,000,000).

Said bonds shall be issued in the denomination of Five Thousand Dollars ($5,000) each, numbered consecutively from 1 to 200 inclusive, dated as of September 1, 1979, and shall bear interest at a rate or rates not exceeding seven and one-half per cent (7-1/2%) per annum, the exact rate or rates to be determined by bidding, payable on the first days of January and July in each year, beginning on July 1, 1980. Such interest shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable in lawful money of the United States of America at the main office of Fort Wayne National Bank in the City of Fort Wayne, Indiana, and, at the option of the holder, at such other bank or trust company as may be mutually agreed upon with the successful bidder at the time of sale of the bonds. Said bonds shall mature serially in numerical order on January 1 in the years and amounts as follows:

Year	Amount	Year	Amount	Year	Amount	Year	Amount
1982	15,000	1988	20,000	1994	35,000	2000	55,000
1983	15,000	1989	25,000	1995	40,000	2001	60,000
1984	20,000	1990	25,000	1996	40,000	2002	60,000
1985	20,000	1991	30,000	1997	45,000	2003	70,000
1986	20,000	1992	30,000	1998	45,000	2004	70,000
1987	20,000	1993	30,000	1999	50,000	2005	75,000
						2006	85,000

SECTION 3. The bonds of this issue maturing on ~~July~~ January 1, 1996 or thereafter, shall be redeemable prior to maturity at the option of the City on July 1, 1995, or any interest payment date thereafter, in their inverse numerical order, at the principal amount thereof and accrued interest to the date fixed for redemption, plus the following premiums:

3% if redeemed on July 1, 1995, or thereafter on or before January 1, 1998;

2% if redeemed on July 1, 1998, or thereafter on or before January 1, 2003;

1% if redeemed on July 1, 2003, or thereafter prior to maturity;

Notice of such redemption shall be published at least thirty (30) days prior to the date fixed for redemption at least one time in a newspaper of general circulation printed and published in the City of Fort Wayne, Indiana, and a financial journal of general circulation published in the Borough of Manhattan, City and State of New York. If any of the bonds so to be redeemed are registered, such notice shall be mailed to the address of the registered holder as

shown on the registration record of the City. The notice shall specify the date and place of redemption and the serial numbers of the bonds called for redemption. The place of redemption may be any bank determined by the City. Interest on the bonds so called for redemption shall cease onthe redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and when said bonds shall be presented for redemption. If any unmatured bond and coupon or coupons so called for redemption shall not be presented on the date fixed for redemption at the place of redemption, the City may place in trust at the bank constituting the place of redemption sufficient funds to effect such redemption, and thereafter the holder of such bond and coupon or coupons shall be entitled to payment only from such trust funds and the redemption thereof shall be deemed to have been effected and the bonds no longer outstanding.

SECTION 4. Said bonds shall be signed in the name of the City of Fort Wayne by the Mayor, countersigned by the City Controller, and attested by the City Clerk, who shall affix the seal of said City to each of said bonds. The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the Mayor and City Controller, and said officials, by the signing of said bonds, shall adopt as and for their own proper signatures the facsimile signatures appearing on said coupons. Said bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana.

Said bonds shall be negotiable by delivery unless registered. Upon presentation of any of the bonds at the office of the City Controller in the City of Fort Wayne, said City Controller shall register said bonds as to principal without charge or expense to the holder. Such registry shall be noted on each bond so presented, after which no transfer thereof shall be valid unless made by the registered holder in person or by his attorney duly authorized and similarly noted on such bond, but bonds so registered may be discharged from registry by being in like manner retransferred to bearer, after which they shall be transferable by delivery but may again be registered as before. The registration of any bond shall not affect the negotiability of the interest coupons attached thereto, but such coupons shall continue to pass by delivery merely and shall remain payable to bearer.

Said bonds, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a first charge upon all the net revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, maintenance and repair) of the off-street parking facilities herein designated as Civic Center Parking Garage, and all additions and improvements thereto and replacements thereof subsequently constructed or acquired; also the unobligated net revenue derived from on-street parking meters to the extent hereinafter specifically provided. The City shall not be obligated to pay said bonds or the interest thereon except

from said revenues, and said bonds shall not constitute an indebtedness of the City of Fort Wayne within the meaning of the provisions and limitations of the constitution of the State of Indiana.

SECTION 5. The form and tenor of said bonds, the interest coupons to be attached thereto, and the form of registry endorsement thereon, shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA
State of Indiana County of Allen

No. _____ $5,000

CITY OF FORT WAYNE
OFF-STREET PARKING REVENUE BOND
SERIES CIVIC CENTER PARKING GARAGE

The City of Fort Wayne, in Allen County, State of Indiana, for value received, hereby promises to pay to the bearer hereof, or if this bond be registered then to the registered holder, solely out of the special revenue fund hereinafter referred to, the principal amount of

FIVE THOUSAND DOLLARS

on the first day of January, _____ (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid, at the rate of _____ per cent (_____%) per annum, payable on the first days of January and July in each year, beginning on July 1, 1980, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the main office of Fort Wayne National Bank, in the City of Fort Wayne, Indiana, or, at the option of the holder, at _____, in the City of _____, _____.

This bond is one of an authorized issue of _____ _____ (_____) bonds of the City of Fort Wayne, of like date, tenor and effect, except as to numbering, rates of interest, and dates of maturity, in the total amount of _____ ($_____), numbered from 1 to _____ inclusive. issued for the purpose of providing funds to pay the cost of off-street parking facilities in the City designated as "Civic Center Parking Garage", as authorized by an ordinance adopted by the Common Council of the City of Fort Wayne on the _____ day of _____, 1979, entitled "An Ordinance of the City of Fort Wayne concerning the acquisition of land and the construction, maintenance, operation and financing of off-street parking facilities thereon, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said project, the safeguarding of the interests of the holders of said bonds, and other matters connected therewith", and in strict compliance with the provisions of Indiana Code Title 19, Article 5, Chapter 11, and acts supplemental thereto.

Pursuant to the provisions of said Act and said ordinance, the principal and interest of this bond and all other bonds of said issue are payable solely from the Parking Sinking Fund - Civic Center Parking Garage (created by said ordinance) to be provided from the net revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, maintenance and repair) of the off-street parking facilities, Civic Center Parking Garage, including the facilities constructed or acquired by the use of the proceeds of this bond and the issue of which it is a part, and all additions and improvements thereto and replacements thereof subsequently constructed or acquired, and from the unobligated net revenues derived from on-street parking meters pledged to said fund. This bond shall not constitute an indebtedness of the City of Fort Wayne within the meaning of the provisions and limitations of the constitution of the State of Indiana, and the City shall not be obligated to pay this bond or the interest thereon except from said special fund.

The City irrevocably pledges the entire net revenues of said Civic Center Parking Garage, off-street parking facilities, together with the unobligated net revenue derived on and after September 1, 1979, from on-street parking meters to the extent provided in said ordinance to the prompt payment of the interest and principal of the bonds issued on account of the construction of said Civic Center Parking Garage facilities, of which this is one, and covenants that it will cause to be fixed, maintained and collected such charges for service rendered by said

facilities which, together with the pledged unobligated net revenues derived from on-street parking meters, are sufficient in each year for the payment of the proper and reasonable expense of operation, maintenance and repair of said facilities and for the payment of the sums required to be paid into the Parking Sinking Fund - Civic Center Parking Garage under the provisions of said Act and said authorizing ordinance. The holder of this bond or any coupon appertaining thereto may, by appropriate legal action, enforce and compel performance of all the duties required by the governing Act or by the authorizing ordinance to be performed by the City or any officer or body thereof, including the fixing and collecting of proper parking charges, or charges for other service rendered by off-street parking Civic Center Parking Garage. If there be any failure to pay the interest on or principal of this issue of bonds in accordance with the terms thereof, a receiver may be appointed to administer said parking facilities, with power to fix and collect charges sufficient to provide for the payment of this bond and the interest thereon, and to apply the revenues in conformity with the provisions of said Act and ordinance.

The City further covenants that all of the income and revenues of said Civic Center Parking Garage facilities shall be set aside daily, as received, into a separate and special fund to be designated as "Parking Fund - Civic Center Parking Garage"; that out of said fund there shall be paid the cost of operation, maintenance and repair of the facilities for the current calendar month and a sufficient amount reserved to pay such cost for the calendar month then next succeeding; that the balance of the moneys in said fund shall be deemed to be the net revenues of the facilities and shall, on the first day of each calendar month, be transferred and set aside into a separate and special fund designated as "Parking Sinking Fund - Civic Center Parking Garage" to the extend provided in said ordinance; that on the first day of each calendar month, beginning September 1, 1979, it will set aside revenues derived from its on-street parking meters into said Sinking Fund to the extent provided in said ordinance.

The bonds of this issue maturing on ~~July~~ JANUARY 1, 1996, are redeemable prior to maturity at the option of the City from available revenues, in whole, or from time to time in part, by lot in such manner as the City determines to be fair and equitable, on July 1, 1995, or any interest payment date thereafter, at the principal amount thereof and accrued interest to the date fixed for redemption, plus the following premiums:

3% if redeemed on July 1, 1995, or thereafter on or before January 1, 1998;
2% if redeemed on July 1, 1998, or thereafter on or before January 1, 2003;
1% if redeemed on July 1, 2003, or thereafter prior to maturity.

Notice of such redemption shall be published in a newspaper at least thirty (30) days prior to the date fixed for redemption at least one time in a newspaper of general circulation printed and published in the City of Fort Wayne, Indiana, and a financial journal of general circulation published in the Borough of Manhattan, City and State of New York. A like notice shall be sent by mail to the holders of such bonds as are then registered. Interest on bonds so called for redemption shall cease on the redemption date fixed in said notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and when presented for payment. If any unmatured bond and coupon or coupons so called for redemption shall not be presented on the date fixed for redemption at the place of redemption, the City may place in trust at the bank constituting the place of redemption sufficient funds to effect such redemption, and thereafter the holder of such bond and coupon or coupons shall be entitled to payment only from such trust funds and the redemption thereof shall be deemed to have been effected and the bonds no longer outstanding.

This bond and all other bonds of said issue shall have all the qualities and incidents of negotiable instruments under the laws of the State of Indiana. This bond may be registered as to principal at the office of the City Controller in the City of Fort Wayne, Indiana, in the name of the owner hereof, and such registration noted hereon by said City Controller. Thereafter no transfer hereof shall be valid unless made at said office by the registered owner in person or by his duly authorized attorney and similarly noted hereon, but this bond may be discharged from registration by being in like manner transferred to bearer and may again from time to time be registered or transferred to bearer as before. Such registration shall not restrict or affect the negotiability of the interest coupons hereto attached by delivery only, but such interest coupons shall always be payable to bearer.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by its Mayor, countersigned by its City Controller, its corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said Mayor and City Controller, as of the _____ day of _____, 1979.

CITY OF FORT WAYNE
By _____
Mayor

Countersigned:

_____
City Controller

Attest:

_____
City Clerk

(Interest Coupon)

Coupon No. _____ $_____

On _____1, _____(unless the bond herein mentioned shall be subject to and shall have been called for previous redemption), the City of Fort Wayne, Indiana, will pay to bearer at the main office of Fort Wayne National Bank, in the City of Fort Wayne, Indiana, or, at the option of the holder, at _____ _____, in the City of _____ _____, _____, out of its Parking Sinking Fund - Civic Center Parking Garage, _____ _____ Dollars in lawful money of the United States of America, being the interest then due on its Off-Street Parking Revenue Bond, Series Civic Center Parking Garage dated _____ 1, _____, No. _____.

CITY OF FORT WAYNE
By_____(Facsimile)
Mayor

_____(Facsimile)
City Controller

REGISTRATION ENDORSEMENT

This bond can be registered only at the office of the City Controller in the City of Fort Wayne, Indiana. No writing hereon except by the City Controller.

Date of Registry	In Whose Name Registered	City Controller
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION 6. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto, in the form and manner herein provided. The City Controller is hereby authorized and directed to deliver said bonds to the purchaser thereof after sale made in accordance with the provisions of this ordinance, provided that at the time of said delivery the City Controller shall collect the full amount which the purchaser has agreed to pay therefor, which shall not be less than the face value of said bonds, plus accrued interest from the date thereof to the date of delivery. The bonds herein authorized, when fully paid for and delivered to the purchaser, shall be the binding special revenue obligations of the City, payable out of the revenues to be set aside into the Parking Sinking Fund - Civic Center Parking Garage, as herein provided, and the proceeds derived from the sale of said bonds shall be and are hereby set aside for application on the cost of acquisition, construction and installation of said Civic Center Parking Garage parking facilities hereinbefore referred to, and the expenses necessarily incurred in connection therewith or in connection with the issuance of bonds on account thereof, including interest during construction if required for that purpose. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

SECTION 7. Prior to the sale of said bonds the City Controller shall cause to be published a notice of said sale once each week for two (2) weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal Gazette and a summary notice one time in The Indianapolis Commercial, the last publication to be at least seven (7) days prior to the date fixed for said sale. The bond sale notice shall state the time and place of sale, the character and amount of the bonds, the maximum interest rate, the terms and conditions upon which bids shall be received and the sale made, and such other information as the City Controller and the attorneys employed by the City shall deem advisable. Said notice shall

provide, among other things, that each bid shall be accompanied by a certified or cashier's check in the amount of two per cent (2%) of the par value of the bonds, to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of the bonds and pay for the same as soon as the bonds are ready for delivery, or at the time fixed in the notice of sale, then said check and the proceeds thereof shall be the property of the City and shall be considered as its liquidated damages on account of such default; also, that bidders for said bonds will be required to name the rate or rates of interest which the bonds are to bear and that such interest rate or rates shall be in multiples of one-fourth (1/4) or one-tenth (1/10) of one per cent (1%); also that the opinion of Ice Miller Donadio & Ryan, bond counsel of Indianapolis, Indiana, approving the legality of said bonds, will be furnished to the purchaser at the expense of the City, and that no conditional bids will be considered.

The bonds shall be awarded by the City Controller to the highest qualified bidder who has submitted his bid in accordance with the terms of this ordinance and the notice of sale. The highest bidder will be the one who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. The right to reject any and all bids shall be reserved. The City Controller shall be authorized to continue the sale from day to day for a period of thirty (30) days without readvertisement; provided, however, that if the sale be continued no bid shall be accepted which is lower than the highest bid received at the time fixed for said sale in the bond sale notice.

SECTION 8. The accrued interest and the premium received at the time of the delivery of the bonds, if any, together with such amount of the proceeds of the bonds as shall equal the interest accruing on the bonds for a period of fifteen (15) months following delivery of the bonds, shall be deposited in the Parking Sinking Fund - Civic Center Parking Garage hereinafter created. The remaining proceeds from the sale of said bonds shall be deposited in a bank or banks which are legally designated depositories for the funds of the City, in a special account or accounts, separate and apart from all other bank accounts of the City, to be designated as "City of Fort Wayne, Civic Center Parking Garage Construction Account". All funds deposited to the credit of said construction account shall be deposited, held, secured or invested as provided by the laws of the State of Indiana relating to the depositing, holding, securing and investing of public funds. The moneys in said special account or accounts shall be expended only for the purpose of paying the cost of said Civic Center Parking Garage parking facilities or as otherwise required by said Act and this ordinance. Any balance or balances remaining unexpended in such special account or accounts within ninety (90) days after completion of the facilities which are not required to meet unpaid obligations incurred in connection with such construction shall be paid into the Parking Sinking Fund - Civic Center Parking Garage, and shall be used solely for the purposes of said fund. Any interest or other accretions derived from any investment of funds in said construction account shall become a part of the funds invested.

SECTION 9. The income and revenues of Civic Center Parking Garage parking facilities shall be set aside and deposited daily as received in a separate and special fund to be designated as "Parking Fund - Civic Center Parking Garage" (herein called the "Parking Fund"). The moneys in said fund shall be kept on deposit in legally designated depositories for funds of the City, in an account separate and apart from all other bank accounts of the City, and shall be continuously held and secured as provided by the laws of the State of Indiana relating to the depositing, securing and holding of public funds. In no event shall any of the revenues or funds of said facilities be transferred or used for any purpose not authorized by this ordinance, or reasonably implied by the provisions thereof, so long as there are outstanding any bonds payable out of the income and revenues of the facilities. The City Controller shall be the custodian of all funds received or derived from the operation of said Civic Center Parking Garage facilities, and all checks or warrants payable out of said funds shall be signed by the City Controller. The City Controller shall be authorized to make the transfers to the various funds and accounts herein provided for and to apply the funds in the Parking Sinking Fund - Civic Center Parking Garage to the payment of the interest on and principal of the bonds payable from the revenues of the facilities without further order or direction.

SECTION 10. The Parking Fund shall be divided into two accounts, viz., the Operation and Maintenance Account - Civic Center Parking Garage, and the Net Revenue Account - Civic Center Parking Garage (herein called "Operation and Maintenance Account" and "Net Revenue Account" respectively). All income and revenues received in the Parking Fund shall as received be credited to such accounts in the following order: there shall be credited to the Operation and Maintenance Account as of the first business day of each calendar month an amount, which, together with the unexpended balance remaining therein, is equal to the estimated reasonable expenses of operation, maintenance and repair for the then current month and the then next succeeding calendar month. The reasonable expenses of operation, maintenance and repair shall include, but not be limited to, salaries, wages, cost of materials and supplies, purchase of power for light; also, paying agency fees on bonds, insurance premiums, the reports provided for in this ordinance, and the monthly pro-rata portion of other similar costs normally paid on a quarterly, semi-annual, annual or quadrennial basis; provided, however, that such expenses shall exclude the cost of replacements, additions, extensions, improvements or other capital items, depreciation, and any general administrative expenses of the City. There shall be credited to the Net Revenue Account all remaining income and revenues derived from the Civic Center Parking Garage off-street parking facilities after meeting the requirements of the Operation and Maintenance Account.

SECTION 11. There is hereby created a fund to be designated as "Parking Sinking Fund - Civic Center Parking Garage" (herein called the "Parking Sinking Fund"), which fund shall, subject to the provisions hereinafter provided for investment, be kept on deposit in legally designated depositories for funds of the City in an account separate and apart from all other bank accounts of the City and shall be continuously held and secured, or invested, in accordance with the laws of the State of Indiana relating to the depositing, holding and securing, or investing of public funds. The funds in said Parking Sinking Fund shall be administered in the following manner:

Upon delivery of the bonds herein authorized, the accrued interest and premium, together with such amount of the proceeds of the bonds as shall equal the interest accruing on the bonds for a period of fifteen (15) months following delivery of the bonds, shall, as provided in Section 8 hereof, be credited to the Bond and Interest Account. Beginning January 1, 1981, there shall be withdrawn as of the first calendar day of each month from the Net Revenue Account of the Parking Fund and deposited in the Parking Sinking Fund an amount equal to the sum of not less than one-fifth (1/5) of the interest payable on the then next succeeding interest payment date and one-tenth (1/10) of the principal payable on the then next succeeding principal payment date on all then outstanding bonds until the amount of interest and principal payable on the then next succeeding respective principal and interest payment dates shall have been so credited.

Whenever the balance remaining in the Parking Sinking Fund is equal to the amount of principal and interest of all bonds then outstanding, then no further deposits need to be made to said Parking Sinking Fund.

The City hereby pledges all of the unobligated net revenues derived from on-street parking meters received on and after September 1, 1979, to the extent required, to make up any deficiencies in annual deposits required hereinbefore to be made from the Net Revenue Account to the Parking Sinking Fund. The phrase "unobligated net revenues derived from on-street parking meters", as used in this ordinance, shall be construed to mean the gross revenues received by the City from the operation of on-street parking meters after deduction only for the reasonable expense of operation, maintenance and repair of the on-street meters owned and operated by the City, not including the purchase price of any additional meters acquired; provided, that the City reserves the right to acquire additional meters from time to time and pledge a portion of the revenues collected from such additional meters to the payment of the purchase price thereof.

SECTION 12. There is hereby created a fund to be designated as "Parking Replacement and Improvement Fund - Civic Center Parking Garage" (herein called the "Replacement and Improvement Fund"), which fund shall be maintained as a separate bank account apart from all other bank accounts of the City and the moneys therein shall be deposited, held and secured, or invested in accordance with the laws of the State of Indiana relating to the depositing, holding and securing, or investing of public funds. Any residual revenues of the Civic Center Parking Garage off-street parking facilities remaining after meeting the foregoing requirements of the Parking Fund and Parking Sinking Fund shall be deposited in said Replacement and Improvement Fund and, together with any other funds from other sources which may from time to time be made available by the City, may be used to pay the cost of extraordinary repairs, replacements, additions, extensions and improvements to the Civic Center Parking Garage facilities or any other legal obligations of the said facilities; provided, however, that any moneys in said Replacement and Improvement Fund shall be transferred to the Parking Sinking Fund to the extent needed to make up any deficiencies in the accounts thereof.

SECTION 13. Subject to the approval of the Board of Public Works, the proper officer of the City is hereby authorized to invest, to the extent permitted by law, in direct obligations of the United States Government, or obligations of instrumentalities and agencies thereof which are fully guaranteed by the United States of America, such portion of the funds in said Parking Sinking Fund, and the Replacement and Improvement Fund as shall not be required for immediate use. Any interest or other accretions derived from any such investments shall become a part of the respective accounts of said Parking Sinking Fund, or Replacement and Improvement Fund, as the case may be, so invested.

SECTION 14. The City shall cause to be prepared and distributed quarterly construction progress reports, certified by the architect or engineer in charge of construction of the Civic Center Parking Garage parking facilities, to the original purchaser of the bonds, and to any bondholder who requests the same, setting forth the amount of dollars expended to date of the report, the percentage completion of each parking facility in the Civic Center Parking Garage, and the scheduled date of completion of each. The City shall keep proper books of record and account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all income and revenues derived from the operation of said Civic Center Parking Garage parking facilities and all disbursements made therefrom on account of the operation of the facilities and all other financial transactions relating to the facilities. There shall be prepared and furnished to the original purchaser of the bonds and, upon written request, to any holder or holders of outstanding bonds, not more than ninety (90) days after the close of each calendar year, an annual statement containing operating and income statements and balance sheets of the facilities and the on-street parking operations in reasonable detail, covering the preceding calendar year, and a statement of the amounts transferred and credited to the Parking Sinking Fund and the cash balances therein and in the Parking Fund and Replacement and Improvement Fund as of the end of such calendar year; also, including a statement of the number of parking spaces in the facilities, the number of on-street parking meters, and any changes in off-street and on-street parking rates and charges, as of the end of such calendar year, which annual statement shall be certified by the City Controller or by the person charged with the duty of auditing the books and records relating to the facilities. After the first full year of operation of Civic Center Parking Garage and every four (4) years thereafter, the City shall employ nationally recognized parking consultants to review the operation of the City's off-street parking facilities and the operation and administration of the on-street parking meter system. Said review shall include, but not be limited to, the adequacy of rates and charges and enforcement for the effective control of traffic and to meet financial requirements and as to the location and mode of operation of the foregoing. Said review shall be embodied in a written report including the consultants' comments and recommendations which shall be filed and maintained in the office of the City Controller, and a copy thereof shall be furnished to the original purchaser of the bonds, and, upon written request, to any holder or holders of outstanding bonds. The cost of such review and report shall be considered a maintenance and operation expense. Copies of all such statements and balance sheets and other reports relating to said Civic Center Parking Garage shall be kept on file in the office of the City Controller, and the original purchaser of the bonds, or any bondholder, shall have the right at all reasonable times to inspect the facilities and all

records, accounts and data of the City relating thereto. Such inspections may be made personally or by representatives duly authorized by written instrument.

SECTION 15. The City shall, to the fullest extent permitted by law, establish, maintain and collect reasonable charges for the services afforded by said Civic Center Parking Garage parking facilities which, together with the on-street parking revenues pledged by the City to the Parking Sinking Fund - Civic Center Parking Garage, will provide revenues sufficient to pay the reasonable and proper cost of operation, maintenance and repair of the facilities, to pay the principal of and interest on all bonds payable from the revenues of the facilities as the same become due, and to maintain the Parking Sinking Fund - Civic Center Parking Garage as herein provided. So long as any of the bonds herein authorized are outstanding, none of the services afforded by said facilities shall be furnished without a reasonable charge being made therefor, and such charge shall be made for any service rendered to the City or any department, agency or instrumentality thereof, and shall be charged against the City and paid for as the charges accrue.

SECTION 16. For the purpose of further safeguarding the interests of the holders of the bonds, it is specifically provided as follows:

(a) All contracts to be let for the construction of said facilities shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred per cent (100%) of the amount of such contracts to insure the completion of such contracts in accordance with their terms, and contractors shall be required to carry such employers' liability, public liability and other insurance as required under the laws of the State of Indiana.

(b) All construction shall be contracted for and performed under the supervision of qualified architects or engineers. All estimates for work done and material furnished in connection with such construction shall first be checked and approved by such engineers prior to approval by the Board of Public Works for payment.

(c) The City shall at all times maintain the facilities and its on-street parking meters in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) To the extent that the City owns, leases, or in any manner controls the revenues from any additional off-street parking facilities, rates and charges for parking at such additional facilities shall be set at such a level as will not materially reduce the revenues of the Civic Center Parking Garage facilities.

(e) The Board of Public Works, subject to the approval of the Common Council, shall establish regulations governing the use and operation of the facilities so as to promote the maximum use thereof by the public in a safe, orderly and efficient manner, prior to the opening of said facilities for operation.

(f) So long as any bonds payable from the revenues of said Civic Center Parking Garage are outstanding, the City shall carry insurance on said facilities of the kinds and in the amounts which are usually carried by private parties operating similar projects, including fire and public liability insurance, and all

additional insurance covering such risks as shall be found necessary or advisable by the Board of Public Works. All moneys received for loss under such insurance policies shall be used in making good the loss or damage of the Civic Center Parking Garage parking facilities. The payment of premiums for all insurance herein required shall be considered a maintenance and operation expense.

(g) So long as any bonds payable from the revenues of off-street parking facilities - Civic Center Parking Garage are outstanding, the City shall not mortgage, pledge or hypothecate the facilities or any part thereof, and shall not sell, lease or otherwise dispose of any portion thereof, except such equipment which may become worn out or obsolete and shall be replaced.

(h) So long as any of the bonds authorized by this ordinance are outstanding, no additional bonds or other obligations pledging any portion of the revenues of Civic Center Parking Garage parking facilities shall be issued by the City unless the same be made subordinate and junior in all respects to the bonds authorized by this ordinance, unless all of the bonds authorized by this ordinance are redeemed and cancelled coincidentally with the delivery of such additional bonds or other obligations.

(i) The provisions of this ordinance shall constitute a contract by and between the City and the holders of the bonds herein authorized, all of the terms of which shall be enforceable at law or in equity, and after the issuance of said bonds this ordinance shall not be repealed or amended in any way which will adversely affect the rights and interests of the holders of said bonds; nor shall the Common Council of the City adopt any law, ordinance or resolution in any way adversely affecting the rights of such holders so long as any of said bonds or the interest thereon remain unpaid. The holders of said bonds shall have all of the rights, remedies and privileges either expressly set forth in the provisions of Indiana Code Title 19, Article 5, Chapter 11 and the acts supplemental thereto, or implied therein, including the right to compel the collection of sufficient rates and charges to provide for the payment of the interest on and principal of the bonds authorized by this ordinance or the transfer of sufficient revenues derived from the operation of on-street parking meters for that purpose; also, in the event of any default in the payment of interest or principal of the bonds, in accordance with the terms thereof, to have a receiver appointed to administer the facilities and collect and apply the revenues thereof in accordance with the provisions of the governing Act and this ordinance.

(j) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the City derived from any source other than the proceeds of the bonds authorized by this ordinance, the revenues derived from the operation of said Civic Center Parking Garage parking facilities, and the unobligated net revenues derived from the operation of on-street parking meters.

SECTION 17. Subject to the terms and provisions contained in this section, and not otherwise, the holders of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Common Council of the City of Fort Wayne of such ordinance or ordinances supplemental hereto, as shall be deemed necessary or desirable by the City of Fort Wayne for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the Civic Center Parking Garage parking facilities ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any bond or bonds issued pursuant to this ordinance over any other bond or bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance. The holders of not less than sixty-six and two-thirds per cent (66 2/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the City Controller of the City of Fort Wayne. No holder of any bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Common Council of the City of Fort Wayne from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the City of Fort Wayne and all holders of bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the City and of the holders of the bonds authorized by this ordinance, and the terms and provisions of the bonds and this ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City of Fort Wayne and the consent of the holders of all the bonds issued pursuant to this ordinance then outstanding.

SECTION 18. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 19. This ordinance shall be in full force and effect from and after its passage.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-143-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979 at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-32

SPECIAL ORDINANCE NO. S-144-79

AN ORDINANCE approving an Agreement to
Purchase Real Estate from Jesus Name
Church and Cordis Middleton for Board
of Public Works

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement to Purchase Real Estate dated July 31, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Jesus Name Church and Cordis Middleton, for:

N1/2 Lot 5, Green and Forbing's Addition

for a total cost of $125.00, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-144-79 on the 28th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 10:30 o'clock A.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-53

SPECIAL ORDINANCE NO. S-145-79

AN ORDINANCE AUTHORIZING THE CITY OF
FORT WAYNE TO ISSUE ITS "ECONOMIC
DEVELOPMENT REVENUE BONDS (CENTRAL -WALTER-
SUNBELT PROJECT)" AND APPROVING AND
AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project

Report for the Central-Walter-Sunbelt Project regarding the financing of proposed economic development facilities for Central-Walter-Sunbelt and the Executive Director of the Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on March 30, 1979, and also adopted a resolution on August 24, 1979, which resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Central-Walter-Sunbelt complies with the purposes and provisions of I. C. 1864.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, and Mortgage and Indenture of Trust and Guaranty; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of the revenue bonds to Central-Walter-Sunbelt for the acquisition, renovation and construction of such facilities and the equipping thereof, and the payment of the revenue bonds by the note payments of Central-Walter-Sunbelt under the Loan Agreement and Note, complies with the purposes and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Loan Agreement, Note, Mortgage and Indenture of Trust and Guaranty approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be insterted in the minutes of the Common Council and kept on file by the Clerk.

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Central-Walter-Sunbelt Project), in the toal principal amount of Four Million Five Hundred Thousand Dollars ($4,500,000) (the "Bonds") for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest from the note payments made by Central-Walter-Sunbelt under the Loan Agreement and Note or as otherwise provided in the above described Mortgage and Indenture of Trust and Guaranty. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor and Clerk are authorized and directed to sell such Bonds to the purchasers thereof at a rate of interest on the Bonds not to exceed 7.625% per annum and at a price not less than 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. The signatures of the Mayor and Clerk on the Bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

Section 6. The provisions of this Ordinance and the Trust Indenture securing the Bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Bonds, and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said Bonds or the interest there remains unpaid.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-145-79 on the 28th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock p.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-07

RESOLUTION NO. R42-79

A RESOLUTION approving a lease between the City of Fort Wayne and Indiana & Michigan Electric Company for parking spaces in the new Civic Center Parking Garage

WHEREAS, the City of Fort Wayne, Indiana plans to construct a Civic Center Parking Garage with approximately 430 spaces in the City of Fort Wayne, Indiana on the north half of the block bounded by Jefferson Street, Calhoun Street, Washington Boulevard and Clinton Street; and

WHEREAS, the Indiana & Michigan Electric Company desires to lease parking spaces in the Civic Center Parking Garage.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain lease, dated August 3, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and the Indiana & Michigan Electric Company, for the lease of parking spaces in the new Civic Center Parking Garage, all as more particularly set forth in said lease which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-42-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-08

RESOLUTION NO. R-43-79

A RESOLUTION approving a lease between the City of Fort Wayne and Peoples Trust Bank for parking spaces in the new Civic Center Parking Garage

WHEREAS, the City of Fort Wayne, Indiana plans to construct a Civic Center Parking Garage with approximately 430 spaces in the City of Fort Wayne, Indiana on the north half of the block bounded by Jefferson Street, Calhoun Street, Wasington Boulevard and Clinton Street; and

WHEREAS, the Peoples Trust Bank desires to lease parking spaces in the Civic Center Parking Garage.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain lease, dated August 3, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Peoples Trust Bank, for the lease of parking spaces in the new Civic Center Parking Garage, all as more particularly set forth in said lease which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-43-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-42

RESOLUTION NO. R-44-79

A RESOLUTION authorizing payment to
various vendors for repair parts for
the Traffic Engineering Department

WHEREAS, the Traffic Engineering Department was in need of material and equipment, and insurance monies in reimbursement for such repair materials and equipment have been received and receipted by the City Controller:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay the following companies the amounts set opposite them below, respectively, for furnishing such repair materials and equipment, upon receipt of proper vouchers from the City Traffic Engineer, to wit:

COMPANY	AMOUNT
3-M Traffic Control	$2,918.70
Elliott Equipment	612.00
Total:	$3,530.70

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-44-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-43

RESOLUTION NO. R-45-79

A RESOLUTION authorizing the temporary advancement of funds from the Downtown Civic Center Fund No. 182 to the CBD Fund No. 319 for the period ending December 31, 1979

WHEREAS, it has become necessary to borrow money to enhance the temporarily invested CBD Fund No. 319 to enable the Redevelopment Commission to proceed with pending projects; and

WHEREAS, there is sufficient money in the Downtown Civic Center Fund No. 182 which can be temporarily advanced or transferred to said CBD Fund No. 319.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne be and is hereby authorized to transfer the sum of $700,000.00 to the CBD Fund No. 319 from the Downtown Civic Center Fund No. 182, which sum shall be returned and repaid to the aforementioned fund on or before December 31, 1979.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-45-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-54

RESOLUTION NO. R-46-79

A RESOLUTION finding, determing and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $1,500,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acqusition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Real Estate Development, Ltd., a partnership, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development faciltity to be 16,000 square foot facility including the real estate and construction and equipment of the building to be located at the corner of Coliseum Boulevard and Northrop Avenue in Fort Wayne, Indiana on an approximate four acre tract of land (the "Project"); and

WHEREAS, Evans Motors, Inc., a corporation, will guarantee all bonds payments, if necessary; and

WHEREAS, the diversification of industry and increase in 21 jobs opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desireble to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $1,500,000.00 of the Issuer under the Act for the acquisition, consturction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council herby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducment resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-46-79 on the 28th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R79-08-55

RESOLUTION NO. R-47-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $2,300,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project.

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 1864.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Anthony Home Service and Building Maintenance, Inc., a partnership, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an eocnomic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 67,000 square foot facility to be used for industrial and commercial cleaning, shipping, receiving, and processing to be located at 3651 North Clinton Street, Fort Wayne, Indiana, on an approxmiate 5.29 acre tract of land (the "Project"); and

WHEREAS, the Small Business Administration will guarantee all bonds payments, and if necessary, the Anthony Home Service and Building Maintenance, Inc. will guarantee all bond payments; and

WHEREAS, the diversification of industry and increase in 15 job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Deveopment Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of

diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $2,300,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutally acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-47-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

968

BILL NO. G-79-07-11

GENERAL ORDINANCE NO. G-18-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of River Run Trail

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 187546), the Thoroughfare Plan as set forth in General Ordinance No. G97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street,

to wit:

Part of a certain "50 foot public roadway easement", as set out in the platting of "The Woodlands of Riverside" as recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, which part is that traversing through land set out in deed recorded May 10, 1979 as Instrument #7912235, Gene B. Glick Company, Inc., grantee, along with a portion of said "50 foot public roadway easement" lying South of the said Glick land being more particularly described as follows:

Commencing at the Northwest corner of Section 19, Township 31 North, Range 13 East in Allen County, Indiana; thence South 00 degrees 37 minutes West along the West line of the said Section 19 a distance of 45.0 feet to the South right of way line of St. Joseph Center Road; thence South 89 degrees 50 minutes East along the said South right of way line, which line is the North line of the said land set out in Deed to Gene B. Glick Company, Inc., 1397 feet to the West line of the said "50 foot public roadway easement", which is the PLACE OF BEGINNING: continue thence South 89 degrees 50 minutes East along the said South right of way line 50.0 feet to the East line of the said "50 foot public roadway easement', (the next 5 described lines are along the said East line); thence South 0 degree 10 minutes West a distance of 35.0 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 91.70 feet subtended by a chord of 91.19 feet with a bearing of South 10 degrees 20 minutes East; thence South 20 degrees 51 minutes East a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 222.53 feet subtended by a chord of 217.46 feet with a bearing of South 0 degree 36 minutes East; thence South 21 degrees 39 minutes West a distance of 625.72 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence South 21 degrees 39 minutes West 271.24 feet; thence North 68 degrees 21 minutes West 50.00 feet to the west line of the said "50 foot public roadway easement", thence North 21 degrees 39 minutes East 271.27 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence North 21 degrees 39 minutes East 625.68 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 185.44 feet subtended by a chord of 181.22 feet with a bearing of North 0 degree 36 minutes West; thence North 20 degrees 51 minutes West a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 110.04 feet subtended by a chord of 109.43 feet with a bearing of North 10 degrees 20 minutes West; thence North 0 degree 10 minutes East a distance of 35.0 feet to the PLACE OF BEGINNING.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Talarico, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G- 18-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. G-79-08-17

GENERAL ORDINANCE NO. G-19-79

AN ORDINANCE amending certain Sections
of Chapter 17 of the Code of the City of
Fort Wayne, Indiana of 1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 4, Section 48 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 4 the following:

THRU STREET

STREET	FROM	TO
Vance Ave.	Parnell Ave.	East City Limits except at Parnell Ave., Crescent Ave., Anthony Blvd., Hobson Rd., Coliseum Blvd., Reed Rd., and Rockwood Dr.
Goshen Rd.	State Blvd.	Coliseum Blvd. except at State Blvd., Sherman Blvd., and Coliseum Blvd.

SECTION 2. That Schedule 5, Section 49 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 5 the following:

STOP INTERSECTION

Barthold St.	-Stop-	for Third St.
Woodshire Dr.	-Stop-	for Northgate Blvd.
Wagner St.	-Stop-	for Griswold Ave.
Bowser Ave.	-Stop-	for Colerick St.
Fruehauf Dr.	-Stop-	for Drexel Ave.

SECTION 3. That Schedule 7, Section 90 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by deleting from Schedule 7 the following:

NO PARKING

STREET	SIDE	FROM	TO
Berry St.	north	Maiden Lane	100 ft. East of Ewing St.

SECTION 4. That Schedule 7, Section 90 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 7 the following:

NO PARKING

STREET	SIDE	FROM	TO
No. Clinton St.	both	Penn Ave.	Coldwater Rd.
Coldwater Rd.	both	Coliseum Blvd.	No. Clinton St.
Edgewood Ave.	both	Northrop St.	No. Clinton St.
Eade Ave.	east	East State Blvd.	150 ft. north thereof (to alley)
Berry St.	north	Van Buren St.	Jackson St.
Barr St.	west	Lewis St.	the alley south of Douglas St.
Winchester Rd.	both	Lwr. Huntington Rd.	400 ft. north thereof
Brighton Dr.	west	Camden Dr.	Catalina Ave.
Harrison St.	east	Main St.	Superior St.
Colerick St.	north	Lafayette St.	Warsaw St.
Main St.	north	Calhoun St.	Ewing St.

SECTION 5. That Schedule 8, Section 90 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by deleting From Schedule 8 the following:

NO PARKING 8 AM TO 9 AM AND 3 PM TO 4 PM

STREET	SIDE	FROM	TO
Berry St.	north	Van Buren St.	Jackson St.

SECTION 6. That Schedule 10, Section 93 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by deleting from Schedule 10 the following:

ONE HOUR PARKING 8 A.M. TO 6 P.M.

STREET	SIDE	FROM	TO
Baar St.	east	Berry St.	Wayne St.
Berry St.	north	Barr St.	Lafayette St.
Harrison St.	east	Main St.	Superior St.
Harrison St.	west	Berry St.	Main St.
Harrison St.	west	Washington Blvd.	Wayne St.
Wayne St.	both	Harrison St.	Webster ST.
Wayne St.	north	Clinton St.	Barr St.
Calhoun St.	both	Clair St.	Superior St.

SECTION 7. That Schedule 11, Section 93 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 11 the following:

90 MINUTE PARKING - 8 AM TO 6 PM

STREET	SIDE	FROM	TO
Kensington Blvd.	east	Forest Ave.	150 ft. south thereof
Kensington Blvd.	west	Forest Ave.	190 ft. south thereof
Delaware Ave.	both	Kensington Blvd.	Pemberton Dr.

SECTION 8. That Schedule 12, Section 93 of the Code of the City of Fort Wayne, Indiana of 1974 be and the same is hereby amended by adding to Schedule 12 the following:

TWO HOUR PARKING 8:00 A.M. - 6:00 P.M.

STREET	SIDE	FROM	TO
Barr St.	east	Berry St.	Wayne St.
Berry St.	north	Barr St.	Lafayette St.
Harrison St.	east	Main St.	Superior St.
Harrison St.	west	Berry St.	Main St.
Harrison St.	west	Washington Blvd.	Wayne St.
Wayne St.	both	Harrison St.	Webster St.
Wayne St.	north	Clinton St.	Barr ST.
Calhoun St.	both	Clair St,	Superior St.
Berry St.	north	Maiden Lane	100 ft. east of Ewing ST.

SECTION 9. That this Ordinance shall be effective upon passage and approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-19-79 on the 28th day of August, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-22

SPECIAL ORDINANCE NO. S-146-79

AN ORDINANCE approving Change Order
No. 1, Street Improvement Resolution
No. 5819-78 in connection with resurfacing
Ewing and Runnion Streets

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Street Improvement Resolution No. 581978, to Moellering Construction Company, Inc., in connection with resurfacing Ewing and Runnion Streets, for:

reinforcing the subbase of the deteriorated pavement
on Ewing Street,

in the amount of $11,776.16, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-146-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-24

SPECIAL ORDINANCE NO. S-147-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5840-79
between the City of Fort Wayne, Indiana
and Brooks Construction Company, Contractor
for resurfacing streets in 2nd District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 30, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Brooks Construction Company, Contractor, for:

resurfacing streets in 2nd District: Bolton Dr., Vance Ave., Bosworth Dr., Kenwood Ave., Glenwood Ave., Alabama Ave., Forest Valley Dr., Forest Downs Dr., and Lake Forest Dr.,

under Board of Public Works Street Improvement Resolution No. 584079, at a total cost of $143,024.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-147-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-25

SPECIAL ORDINANCE NO. S-148-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5833-79
between the City of Fort Wayne, Indiana
and L. W. Dailey, Inc., Contractor for
Improvement of Main Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 30, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and L. W. Dailey, Inc., Contractor, for:

improving Main Street from Maiden Lane East of Calhoun Street consisting of widening and replacement of existing street with new concrete pavement, curbs, sidewalk, street lighting, storm sewer, and traffic signalization,

under Board of Public Works Street Improvement Resolution No. 583379, at a total cost of $663,204.65, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things, hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-148-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-26

SPECIAL ORDINANCE NO. S-149-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5831-79,
between the City of Fort Wayne, Indiana
and Rieth-Riley Construction Company, Inc.,
Contractor for improvement of Lake Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 1, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and RiethRiley Construction Company, Inc., Contractor, for:

improving north side of Lake Avenue from 513 ± feet west of centerline of Hobson Road to 455 ± feet east of the centerline of Hobson Road and on the west side of Hobson Road from north curb line of Lake Avenue to a point 400 ± feet north thereof,

under Board of Public Works Street Improvement Resolution No. 583179, at a total cost of $175,321.56, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONe
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-149-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-06-27

SPECIAL ORDINANCE NO. S-150-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5843-79
between the City of Fort Wayne, Indiana
and Wayne Asphalt & Construction Company,
Inc. Contractor for resurfacing streets
in 3rd District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 1, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Wayne Asphalt Construction Company, Inc., Contractor, for:

resurfacing streets in 3rd District: Poinsette Drive,
West State Blvd., Colwyn Lane, Marston Dr., Andrew St.,
Cherokee Rd., Ridgewood Dr., and Red Haw Dr.,

under Board of Public Works Street Improvment Resolution No. 584379, at a total cost of $190,696.90, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-150-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-28

SPECIAL ORDINANCE NO. S-151-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5844-79
between the City of Fort Wayne, Indiana
and Wayne Asphalt & Construction Company,
Inc., Contractor for resurfacing streets
in 4th District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 1, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Wayne Asphalt & Construction Company, Inc., Contractor, for:

resurfacing streets in 4th District: Enola Court,
Opechee Way, Juliette Ave., High St., Edenton Dr.,
Creston Lane, and Dresden Lane,

under Board of Public Works Street Improvement Resolution No. 584479, at a total cost of $110,113.05, as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-151-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-29

SPECIAL ORDINANCE NO. S-152-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5841-79
between the City of Fort Wayne, Indiana
and Brooks Construction Company, Contractor
for resurfacing streets in 1st District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated July 30, 1979, between the City of Fort Wayne, Indiana, by and through its "Mayor and the Board of Public Works and Brooks Construction Company, Contractor, for:

resurfacing streets in 1st District: Masterson Ave., Suttenfield St., Lumbard St., Lillie St. and Pontiac St.,

under Board of Public Works Street Improvement Resolution No. 584179, at a total cost of $193,732.50, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-152-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-30

SPECIAL ORDINANCE NO. S-153-79

AN ORDINANCE approving Change Order No. 1,
Sidewalk Improvement Resolution No. 5827-79
in connection with Nebraska, Northwest & West
Central Neighborhoods

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 Sidewalk Improvement Resolution No. 582779, to L. W. Dailey Construction, in connection with Nebraska, Northwest & West Central Neighborhoods, for:

removal of a tree and concrete sidewalk to construct
additional sidewalk within Impact Area, as there
was excess monies designated for this area, which
were not heretofore used,

in the amount of $13,932.65, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ORdinance No. S-153-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-31

SPECIAL ORDINANCE NO. S-154-79

AN ORDINANCE approving a contract for
Sidewalk Improvement Resolution No.
5838-79, between the City of Fort Wayne,
Indiana and Hipskind Concrete Corporation
for constructing sidewalk on Osage Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 6, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Hipskind Concrete Corporation, Contractor, for:

> construction of sidewalk commencing on the east side of Osage Street from alley north of Boone to the south property line of Burgess Street, and on the west side of Osage Street from the alley north of Boone Street for a distance of 925 feet north,

under Board of Public Works Sewer Improvement Resolution No. 583879, at a total cost of $24,195.85, of which will be paid by property owners under total cost of $24,195.85, of which will be paid by property owners under Barrett Law, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-154-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-01

SPECIAL ORDINANCE NO. S-155-79

AN ORDINANCE approving City Utilities Purchase Order No. 1248 with All Phase Electric for wire for Street Lighting Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1248, dated July 31, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and All Phase Electric, for:

48,000 feet of aluminum wire for use in street lighting for perimeter of new Post Office for Street Lighting Department.

at a cost of $5,040.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-155-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-23

SPECIAL ORDINANCE NO. S-156-79

AN ORDINANCE approving blanket City Utilities Purchase Orders Nos. B-1271 to B-1276 and B-1281 and Civil City Purchase Orders Nos. B4-06705 to B4-06710 for fuel oil for various City and City Utilities Departments

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket Civil City and City Utilities purchase orders dated August 6, 1979, for purchase of fuel oil for various City and City Utilities Departments, between the City of Fort Wayne, by and through the City Purchasing Director or the City Utilities Purchasing Agent, and the Board of Public Works and the various suppliers named below, with purchase order numbers set opposite them below, respectively, to wit:

Vendor	Civil City Purchase Order No.	City Utilities Purchase Order No.
Gladieux Refinery, Inc.	B4-06805	B-1271
Smith Petroleum, Inc.	B4-06806	B-1272
Superior Energy	B4-06807	B-127 3
Inland Oils	B4-06808	B-127 4
Lassus Brothers	B4-06809	B-1275
Summit City Standard	B4-06810	B-1276
Industrial Fuel Oils, Inc.		B-1281

all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same are in all things ratified, confirmed and approved.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-156-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-34

SPECIAL ORDINANCE NO. S-157-79

AN ORDINANCE approving an Agreement with
Woodmont Realty, Inc., for construction
of a sanitary sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreetment dated August 1, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Woodmont Realty, Inc., Developer, for:

SANITARY SEWER

Woodmont Oaks

Line A Beginning at a proposed manhole "F" to be constructed over an existing 21" sanitary sewer, said manhole being situated 2110 (+) feet East and 280 (+) feet North of the centerline intersection of S. R. #3 and Dupont Road; thence Northeasterly, a distance of 180 feet to a proposed manhole "E"; thence Northerly along the future right-of-way of Ogden Oaks Court in Windsor Woods, a distance of 250 feet to proposed manhole "D"; thence Northwesterly, along the future right-ofway of said Ogden Oaks Court, a distance of 380 feet to proposed manhole "C"; thence Northeasterly along the future right-of-way of Radbourne Court in said Windsor Woods, a distance of 200 feet to proposed manhole "B"; thence Northeasterly, a distance of 295 feet to proposed manhole "A", said manhole being situated 70 (+) feet South of the Northwest corner of Lot #3 in Woodmont, Section 1; thence Northerly, along the West line of said Lot #8, a distance of 100 feet to proposed manhole #1, said manhole being situated on the most Southerly corner of Lot #29 in Woodmont Oaks; thence Northeasterly, a distance of 250 feet to proposed manhole #2, said manhole being situated on the Southeast corner of said Lot #29 and the South right-of-way of Country Wood Trail in Woodmont Oaks; thence Easterly, along the South right-of-way of said Country Wood Trail, a distance of 300 feet to proposed manhole #3; thence Easterly, along the South rightofway of said Country Wood Trail, a distance of 265 feet to proposed manhole #4, said manhole being situated on the most Westerly corner of Lot #38 and the Northeast right-of-way of Hickory Branch Court in Woodmont Oaks; thence Northerly, along the East rightofway of said Country Wood Trail, a distance of 240 feet to proposed manhole #5; thence Northerly, along the East rightofway of said Country Wood Trail, a distance of 180 feet to proposed manhole #6; thence Northerly, along the East rightofway of said Country Wood Trail, a distance of 135 feet to proposed manhole #7, said manhole being situated 10 (+) feet East of the corner of Lots #1 and #2 and the North right-of-way of Rollingwood Lane in Woodmont Oaks; thence North-westerly, along the Northeast right-of-way of said Rollingwood Lane, a distance of 180 feet to proposed manhole #8, said manhole being situated on the most Westerly corner of said Lot #2 and the Southeast right-of-way of Oak Leaf Place in Woodmont Oaks; thence Northwesterly, along the Northeast rightofway of said Rollingwood Lane, a distance of 240 feet to proposed manhole #9; thence Westerly, along the North right-of-way of said Rollingwood Lane, a distance of 230 feet to proposed manhole #10, said manhole being situated on the corners of Lots #8 and #9 and the North right-of-way of said Rollingwood Lane; thence West, along the North right-of-way of said Rollingwood Lane, a distance of 250 feet terminating at proposed manhole #11.

Line B Beginning at proposed manhole #10, said manhole being situated on the corners of Lots #8 and #9 and the North right-of-way of Rollingwood Lane in Woodmont Oaks; thence South along the East right-of-way of Rollingwood Place in Woodmont Oaks, a distance of 315 feet; thence South, along the East right-of-way of said Rollingwood Place, a distance of 160 feet terminating at proposed cleanout #13, said cleanout being situated on the corners of Lots #15 and #16 in Woodmont Oaks and the right-ofway of said Rollingwood Place.

Line C Beginning at proposed manhole #8, said manhole being situated on the most Westerly corner of Lot #2 and the Southeast right-of-way of Oak Leaf Place in Woodmont Oaks; thence Northeasterly along the Southeast rightofway of said Oak Leaf Place, a distance of 220 feet terminating at a proposed manhole #14, said manhole being situated on the corners of Lots #3 and #4 and the rightofway of Oak Leaf Place.

Line D Beginning at proposed manhole #4, said manhole being situated on the most Westerly corner of Lot #38 and the Northeast rightofway of Hickory Branch Court in Woodmont Oaks; thence Southeasterly, along the Northeast right-of-way of said Hickory Branch Court, a distance of 205 feet terminating at proposed manhole #15, said manhole being situated on the corners of Lots #36 and #37 in Woodmont Oaks and the rightofway of said Hickory Branch Court.

of which developer shall pay the entire cost and expense of the construction of said sewer, all as more particularly set forth in said agreement which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-157-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-35

SPECIAL ORDINANCE NO. S-158-79

AN ORDINANCE approving City Utilities
Purchase Order No. 1258 with V. R. Myers
Pump for supplies for Water Maintenance
and Service Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Order No. 1258, dated August 1, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and V. R. Myers Pump, for:

200 various sizes of Charlote Valve Box Top Sections,
Cast Iron, Screw Type for Water Maintenance & Service
Department,

at a cost of $3,374.00, all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, HInga, Hunter, Moses, D. Schmidt, V. Schmidt, STier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-158-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-36

SPECIAL ORDINANCE NO. S-159-79

AN ORDINANCE approving a contract for Water Contract No. 79-XP-3, between the City of Fort Wayne, Indiana and Bercot, Inc. for installing West Main Street water main

BE IT ORDAINED _BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 1, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and Bercot, Inc., for:

installing water main along West Main Street between Calhoun Street and Maiden Lane,

under Board of Public Works Water Contract No. 79XP3, at a total cost of $60,263.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hreby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-159-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-40

RESOLUTION NO. R-48-79

A RESOLUTION of the Common Council
of the City of Fort Wayne setting
forth the policy of the City in regard
to newly annexed areas

WHEREAS, the annexation of territory to the City is a legislative function; and

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City, including newly annexed areas; and

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and

WHEREAS, the City of Fort Wayne is desirous of following the annexation requirements of Indiana annexation law;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That written fiscal plans shall be developed for providing municipal services to territories to be annexed to the City.

SECTION 2. That it is the policy of the City of Fort Wayne to provide services to annexation areas in a manner consistent with said plans.

SECTION 3. That each fiscal plan shall include cost estimates of planned services to be furnished to the territory to be annexed.

SECTION 4. That each fiscal plan shall state the method or methods of financing the planned services.

SECTION 5. That each fiscal plan shall describe a plan for the organization and extension of services to the annexation area.

SECTION 6. It is the policy of the City that it will begin providing police and fire protection, emergency medical service, solid waste collection, traffic engineering, street and road maintenance and other noncapital services of the City that are normally provided within its corporate limits, immediately upon annexation. It is also the policy of the City that within one (1) year from the effective date of annexation these services will be provided to the newly annexed area in a manner which is equivalent in standard and scope to those noncapital services normally provided to areas with the City which have similar topography, patterns of land utilization, and population density.

SECTION 7. It is the policy of the City that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years of the annexation, in the same manner as those services are provided to areas within the City which have similar topography, patters of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 8. That each fiscal plan will include a plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

SECTION 9 That this REsolution shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One

Date: 8-28-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-48-79 on the 28th day of August, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 4th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-41

SPECIAL ORDINANCE NO. S-160-79

AN ORDINANCE approving a certain bid document for purchase of one signal generator for Board of Public Safety

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 904, dated July 10, 1979, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Cushman Electronics, Inc., for one (1) Signal Generator, at a total cost of $5,624.39, all as more particularly set forth in said bid document Ref. No. 904 and Purchase Order No. 406645G, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein, made a part hereof and are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Chairman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11- 79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-160-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-09-11

SPECIAL ORDINANCE NO. S-161-79

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE
TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST
MORTGAGE REVENUE BONDS, SERIES 1979
(FORT WAYNE POOLS, INC. PROJECT)" AND
APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Fort Wayne Pools, Inc. Project regarding the financing of proposed economic development facilities for Fort Wayne Pools, Inc. and the Fort Wayne Planning Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on June 15, 1979, and also adopted a resolution on September 11, 1979, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Fort Wayne Pools, Inc. complies with the purposes and provisions of I.C. 1864.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Series 1979 Note, Mortgage and Indenture of Trust and Official Statement; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the loan of the proceeds of said revenue bonds to Fort Wayne Pools, Inc. for the acquisition and construction of such facilities and the equipping thereof, the payment of said series of revenue bonds by the note payments of Fort Wayne Pools, Inc. under the Loan Agreement and Series 1979 Note, the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust, complies with the purposes and provisions of I.C. 1864.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Loan Agreement, Series 1979 Note, Mortgage and Indenture of Trust and Official Statement approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 1864.5), shall be incorporated herein by reference and shall be insterted in the minutes of the Common Council and kept on file by the Clerk.

Section 3. The City of Fort Wayne shall issue its Economic Development Revenue Bonds, Series 1979 (Fort Wayne Pools, Inc. Project), in the total principal amount of Two Million Nine Hundred Thousand ($2,900,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particluarly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the note payments made by Fort Wayne Pools, Inc. under the Loan Agreement, and the Series 1979 Note, or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor, Clerk and/or Controller are authorized and directed to sell such bonds to the underwriters at a rate of interest on the bonds not to exceed 9% per annum and at a price not less than 97% of the principal amount thereof.

Section 5. The distribution of the Official Statement by the underwriter to potential bond purchasers is hereby authorized, ratified and approved.

Section 6. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the underwriter.

Section 7. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development Revenue Bonds, Series 1979 (Fort Wayne Pools, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest

theron remains unpaid.

Section 8. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-161-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-08-56

RESOLUTION NO. R-49-79

A RESOLUTION providing for the current funding of the Electric Utility Cash Reserve Fund created in 1975

WHEREAS, by Special Ordinance No. S24375 there was established in the accounts of the City Electric Utility a Cash Reserve Fund as envisioned by I.C. 193191; and

WHEREAS, "Surplus earnings", after taking care of current obligations including operating expenses, the depreciation or replacement account of at least 5% of the operating cash reserves of the Utility, the sinking fund for bonds and interest retirement, as required by law, currently amounts to more than the sum of Seventy-Five Thousand ($75,000) dollars;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. "Surplus earnings" in the accounts of the Electric Utility in the amount of $75,000 are hereby transferred to and ordered debited to the Cash Reserve Fund of said Utility.

SECTION 2. "Surplus earnings", after taking care of current obligations including operating expenses, the depreciation or replacement account of at least 5% of the operating cash reserves of the Utility, the sinking fund for bonds and interest retirement, as required by law, said surplus currently amounts to more than the sum of Seventy-Five Thousand ($75,000) dollars, which is the amount hereby so transferred.

SECTION 3. That this Resolution shall take effect upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-49-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-09-03

RESOLUTION NO. R-50-79

A RESOLUTION authorizing the transfer of funds from Humane Commission's Account No. 4-02-010-017-01-4220 "Utilities" to various accounts within the Humane Commission's 1979 Budget

WHEREAS, it has become necessary to transfer funds from the Humane Commission's "Utilities" Account No. 402010017014220 to various accounts within the Humane Commission's budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Controller of the City of Fort Wayne is hereby authorized to transfer the sum of $2,000.00 from the Humane Commission's "Utilities" Account No. 402010017-014220 and appropriate to the various accounts of the 1979 budget of the Humane Commission numbered and named below, the amounts set opposite them below, respectively, to wit:

ACCOUNT NO.	ACCOUNT NAME	AMOUNT
4-02-010-017-01-4363	Other Office Supplies	$1,000.00
4-02-010-017-01-4331	Household, Laundry & Cleaning	500.00
4-02-010-017-01-4370	Other Supplies	500.00
	Total	$2,000.00

SECTION 2. That the unappropriated and unexpended balance of Account No. 402-010017014220 "Utilities" is hereby reduced in the amount of $2,000.00.

SECTION 3. That this Resolution shall be effective upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-50-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-09-04

RESOLUTION NO. R-51-79

A RESOLUTION authorizing payment to
Poinsatte Motors for new vehicles for
the Police Department

WHEREAS, (1) the following Police Department vehicles were damaged and declared a total loss in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter set out, respectviely, to wit:

Vehicle	Insurance Payment
1) Police Dept. unit No. 156 1968 Chevrolet Van License Plate #087148	$500.00
2) Police Dept. unit No. 1 1977 Plymouth Sedan License Plate #M011101	$1,300.00
3) Police Dept. unit No. 3 1974 Ford Sedan License Plate $49,D3303	$1,200.00
TOTAL:	$3,000.00

WHEREAS, the total amount of insurance monies received is to be applied to replace and purchase new vehicles from Poinsatte Motors under Purchase Order 06222E.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller is hereby authorized to pay $3,000 to Poinsatte Motors for balance due towards the replacement and purchase of the above named vehicles under Purchase Order 06222E.

SECTION 2. That this Resolution shall be in full force and effect upon passage and approval by the Mayor.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-51-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. R-79-09-12

RESOLUTION NO. R-52-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $900,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-64.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Allen Associates Three, a Limited Partnership, (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 22,500 square foot facility to be used for an office building located at 1502 Magnavox Way in Commerce Square Park at State Road 14 (Illinois Road) and I-69 on an approximate 1.67 acre tract of land (the "Project"); and

WHEREAS, Allen Associates Three, a Limited Partnership, will guarantee all bond payments; and

WHEREAS, the diversification of industry and increase in 35 to 40 job opportunities with an estimated annual payroll of $700,000 to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of Industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $900,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purpose referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutally acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by V. Schmidt, seconded by Hunter and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-52-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-07-09

ZONING MAP ORDINANCE NO. Z-21-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. K-10

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. K10, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 76,77 & 78 Archer's Addition to the City of
Fort Wayne, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-21-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-07-33

ZONING MAP ORDINANCE NO. Z-22-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. M-11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M11, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lots 3 & 4 of Piersons' First Subdivision in the City of Fort Wayne, Indiana; a part of the premises commonly known as 310 East Rudisill, Fort Wayne, Allen County, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: One
Stier
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-22-79 on the 11th day of September, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. Z-79-06-24

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 034, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Part of the Northeast 1/4 of Section 24, Township 31 North, Range 12 East, in Allen County, Indiana, being more particularly described as follows:

Commencing at a point, said point being situated 792.6 feet West and 390.0 feet South 0 degrees 30 minutes West of the Northeast corner of Section 24; thence continuing South 0 degrees 30 minutes West, a distance of 208.8 feet; thence North 81 degrees 00 minutes West, a distance of 582.0 feet to a point on the Easterly rightofway line of State Highway #427, a distance of 212.0 feet; thence Southeasterly 479.5 feet to the point of beginning, containing 2.32 acres of land, more or less.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One Hinga
Date: 9-11-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-07-10

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. L-14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Huffmans Addition Lots 1, 2 and 3

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

BILL NO. Z-79-07-34

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. S-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. S14, referred to therein, established by Section 3311, of said Chapter are hereby changed accordingly, to wit:

Lot Number 3 in Clarmernic Manor as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana, more commonly known as 4306 East State Boulevard, Fort Wayne, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

BILL NO. S-79-08-47

SPECIAL ORDINANCE NO. S-162-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5846-79
between the City of Fort Wayne, Indiana
and Moellering Construction Co., Inc.,
Contractor for resurfacing McKinnie Ave.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 13, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Moellering Construction Co., Inc. for:

resurfacing and restoring of pavement of McKinnie Avenue from Hanna Street to Anthony Boulevard,

under Board of Public Works Street Improvement Resolution No. 584679, at a total cost of $67,373.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-162-79 on the 11th day of September, 1979.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-48

SPECIAL ORDINANCE NO. S-163-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5845-79
between the City of Fort Wayne, Indiana
and Moellering Construction Co., Inc.,
Contractor for resurfacing streets in
5th Councilmanic District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 13, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Moellering Construction Co., Inc. for:

resurfacing and restoring of pavement of Arlington Avenue, Harrison Street, Indiana Avenue, McKinnie Avenue and Hoagland Avenue, all located in the 5th Councilmanic District

under Board of Public Works Street Improvement Resolution No. 584579, at a total cost of $152,832.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-163-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-49

SPECIAL ORDINANCE NO. S-164-79

AN ORDINANCE approving Change Order No. 1,
Sidewalk Improvement Resolution No. 5828-79
in connection with East Central, Phase IV

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, Sidewalk Improvement Resolution No. 5828-79, to L.W. Dailey, Inc., in connection with East Central, Phase IV, for:

additional curb and concrete removal and replacement
of same,

in the amount of $5,572.10, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-164-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong , Mayor

BILL NO. S-79-08-50

SPECIAL ORDINANCE NO. S-165-79

AN ORDINANCE approving a contract for
Street Improvement Resolution No. 5847-79
between the City of Fort Wayne, Indiana
and Moellering Construction Co., Inc.
Contractor for resurfacing streets in
6th Councilmanic District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain contract, dated August 13, 1979, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and Moellering Construction Co., Inc. for:

resurfacing and restoring of pavement of Lillie Street, Winter Street, Oliver Street, Reed Street and Queen Street, all located in the 6th Councilmanic District,

under Board of Public Works Street Improvement Resolution No. 584779, at a total cost of $146,040.00, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is in all things hereby ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga
Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-165-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-51

SPECIAL ORDINANCE NO. S-166-79

AN ORDINANCE approving a blanket purchase
order - City Utilities Purchase Order
No. B-1295 for Water Treatment Chemical
for the Three Rivers Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the blanket purchase order City Utilities Purchase Order No. B1295, dated August 13, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Allied Chemical Corporation, for:

approximately 1050 Tons of Soda Ash for use in water treatment by the Three Rivers Filtration Plant,

all as more particularly set forth in said purchase order, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-166-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

BILL NO. S-79-08-52

SPECIAL ORDINANCE NO. S-167-79
AN ORDINANCE approving Change Orders
Numbered 2 and 3, Contract No. 77-W-2,
in connection with Filtration Plant
Additions

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Orders Numbered 2 and 3, Contract No. 77W2, to Hagerman Construction Corporation, in connection with Filtration Plant Additions, for:

the furnishing of necessary addtional labor, material
and equipment in order to have a more improved operation
of the Filtration Plant,

in the amounts of $11,775.00 for Change Order No. 2 and $11,092.00 for Change Order No. 3, as set out in the specifications, are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 9-11-79

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Sp ecial Ordinance No. S-167-79 on the 11th day of September, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1979, at the hour of 3:00 o'clock P.M.,E.S.T.

Robert E. Armstrong
Mayor

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